THE

# HISTORY

OF

# POLITICAL TRANSACTIONS,

*&c. &c. &c.*

THE

# HISTORY

OF

# POLITICAL TRANSACTIONS,

AND OF

# PARTIES,

FROM

The Reſtoration of King *Charles the Second*,

TO

The Death of King *William*.

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# INTRODUCTION.

AS the Revolution of one thouſand ſix hundred and eighty-eight forms an illuſtrious era in our hiſtory, ſo the ſtudy of it muſt be highly gratifying to the ſubjects of the Britiſh empire, and the friends of liberty in every country. To that event we are indebted, not only for the enlargement of our privileges, and additional ſecurities for their continuance, but for thoſe progreſſive improvements, which have exalted our nation to the higheſt pitch of proſperity and ſplendour.

In order to open the political hiſtory of England at the period of the Revolution with perſpicuity and connexion, and to give a true account of ſubſequent tranſactions during the reign of king William, it becomes neceſſary to review the two preceding reigns, and to unfold the various cauſes, which united the exertions of rival parties, and wrought the deliverance of Britain. From an acquaintance with the previous hiſtory, we ſhall be better qualified to diſcern the moderation and wiſdom of our anceſtors, who, by framing the new ſettlement in a ſtrict conformity to the principles and ſpirit of the ancient conſtitution, and the temper and habits of the people, enſured at once its eaſy accompliſhment and future ſtability.

Some of thoſe illuſtrious perſons, who, by their abilities and efforts, contributed moſt ſucceſsfully to the eſtabliſhment of our liberties at the Revolution, had alſo acted a diſtinguiſhed part in the two preceding reigns, and their characters and motives cannot be fully underſtood, unleſs we aſcend to the earlier ſtages of their lives.

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The properties of different objects are more clearly perceived, and more forcibly contrasted, by being placed on contiguous grounds. The amendment of the political condition of England, by the event of the Revolution, will be impressed upon the mind with the strongest conviction and feeling, when we make the transition from the scenes of oppression and tyranny which agitated the nation during the reigns of Charles and James.

It may, perhaps, occur to some, that little instruction or entertainment can be expected from any new detail of transactions which have been so often, and so fully, illustrated by contemporary and later authors. From the following considerations, however, I have been encouraged to prosecute this work with the prospect of its utility, and, with the hope, that it may not be destitute of some share of that novelty, which contributes to the success of historical compositions.

Though politics and parties enter into every history of our country already published, yet these subjects may be rendered more instructive and interesting, by being placed in a detached view. The coincident events, related in the following work, which cannot properly be classed under those heads, have been introduced principally for the purpose of explaining and illustrating political affairs.

The various subjects which furnish materials for the historian, such as religion, politics, war, and commerce, are distinguished by his attention, in proportion to their comparative importance, at the period that falls under his survey. As politics and parties form the most conspicuous features of the British history towards the close of the last century, so it must be readily admitted, that they were never, in any former time, more worthy of attention and study upon account of the substantial and permanent advantages of which they have been productive.

Without a clear and liberal comprehension of the state of the nation, and of the temper and conduct of parties, at the Revo-

lution, we can neither underſtand the excellence of our preſent conſtitution, nor be fully inſtructed in the extent of our privileges, and in the means of defending and improving them. But the ſame critical circumſtances, which render the hiſtory of any particular period more intereſting, often incumber it with ambiguity and difficulties, which can only be removed by the labour of later and accumulated reſearches. Amidſt the violent ſtruggles of factions, whoſe influence pervades the whole body of the people, it is in vain to expect a juſt appretiation of merit, or an impartial account of public meaſures. The animoſities and prejudices, which were predominant at the Revolution, deſcended to ſucceeding generations; and the opinions which individuals maintained, with reſpect to characters and facts, in the preceding age, were long interpreted as an infallible criterion of their political principles and attachments, in their own. After the lapſe of time has deſtroyed this falſe aſſociation of ideas, it is more ſafe and eaſy to adhere to a true repreſentation of facts.

There are recent circumſtances, which ſeem to furniſh peculiar motives, for reſuming the inveſtigation and detail of the ſubjects treated of in this hiſtory.

By the diligence and opportunities of ſome late hiſtorians, a variety of original papers have been collected and publiſhed; which, if they do not throw a light, altogether new, upon tranſactions relative to the Revolution; yet, in many inſtances, they give authority to opinions formerly controverted, and correct and enlarge the information of the impartial and induſtrious inquirer. Great caution, however, is neceſſary, in admitting concluſions, drawn by authors from thoſe facts, which they themſelves have had the ingenuity or good fortune to diſcover. Like travellers, they are exceedingly prone to amplify and embelliſh the curioſities of thoſe regions, which they have been the firſt to viſit and explore. While the merit of hiſtorical writers is eſtimated in proportion to the importance of

the facts which they bring to light, they lie under a strong temptation to over-rate them; and to strain and extend the application of them beyond the rules of accurate reasoning. The carelessness of the generality of readers renders them easy proselytes to those misrepresentations, which the vanity of authors has introduced into history. A fond appetite for novelty supplies the deficiency of evidence, and eagerly grasps at discoveries, which minister to its gratification.

There is a strong propensity in human nature to move from one extreme to another. If our ancestors, impressed with a deep sense of gratitude to individuals, who had been the instruments of delivering the nation from slavery, ascribed their conduct to the purest and most honourable motives, and gave them credit for virtues which they did not possess; we, who have never been disturbed in the enjoyment of our liberties, may, perhaps, be in danger of listening rashly to insinuations against meritorious characters; and of withholding that fair tribute of respect, which is due to their memories. The effects of this error are not confined to any one period of history. The impeachment of names, which had obtained a prescriptive right to public veneration, has a tendency to engender suspicions, and to nourish, especially in the young mind, a habit of scepticism, which chills the ardour of patriotic resolutions. It is, therefore, of importance to the cause of truth and virtue, to restrain the spirit of loose and indiscriminate censure; to examine, with a patient mind, the weight of arguments; and to confine conclusions, with strict accuracy, to the premises from which they are drawn.

Under these impressions I have been, necessarily, led to combat the opinions of a late historian, Mr. Macpherson, with respect to many important transactions and characters, which occur in the course of this work. Many assertions of that author, highly derogatory to the honour of king William, our illustrious deliverer, appear to me, after the most impartial research, to be unfounded, and some of them, to be contradicted by evidence published in his own

collection

collection of State Papers. If I have succeeded in my humble attempts to vindicate calumniated merit, and to establish the cause of truth, I should flatter myself, that this work may not be considered as unseasonable or superfluous; and no apology will be necessary for presuming to recall the attention of the public to subjects, which have been already discussed by authors of the first ability and the highest reputation. But still I am, in justice, bound to acknowledge, that substantial advantages are derived from the information, communicated by the author whom I have mentioned. After the most scrupulous enquiry into the sources from which that information has been collected; after every abatement that candour and strictness of reasoning prescribe, we are left in the possession of many curious and important facts. Enlightened by these, we are enabled to dispel the mists, which darkened our political horizon a century ago; and to present to the public a more copious and faithful narrative of many transactions, than contemporary authors could do, who were ignorant of the dark counsels and profligate intrigues which gave birth to them.

It is particularly incumbent upon every person, who wishes to form just conceptions of English politics, to study with attention the proceedings of parliament. Parliament is the theatre on which the strength of conflicting parties is brought forward into action; and on which the spirit and principles, which animate them, are submitted to the approbation or censure of the impartial and discerning citizen. Parliamentary proceedings have, therefore, engaged a principal part of my attention and labour in the following work.

But it is not merely from the journals of the two houses, or the conclusions adopted by the majority in either of them, with respect to questions of greater moment, that we are able to distinguish the temper, the motives, or the abilities, of contending parties. The debates which lead to these conclusions, the intrigues of parties, the incidents fa-

vourable or adverſe to their intereſt, ought to be minutely ſurveyed. In treating of intereſting queſtions, I have exhibited a ſpecimen of the arguments, which were introduced in the diſcuſſion of them. In order to draw a more lively picture of the times, I have endeavoured to enter into the ſpirit of the perſons who were warm in the ſcene of action, to ſee with their eyes, and to eſtimate events and meaſures by their ſtandard. I have attempted to repreſent their motives; to aſcertain the effects of different meaſures, and of the conduct of miniſtry and oppoſition, as ſalutary or pernicious to the conſtitution.

This work, if executed with perſpicuity and faithfulneſs, may, it is hoped, contribute not only to inſtruction, but to moral improvement. It will afford repeated opportunities of inculcating principles of genuine patriotiſm upon thoſe, who wiſh to underſtand and to purſue the true intereſts of their country. It will ſuggeſt ſtrong arguments for reſtraining the credulity, and moderating the violence, of others, who devote themſelves, with implicit confidence, to the intereſt of any party whatever, by holding out to them the inconſiſtency of opinions, aſcribed to the ſame perſons, in different ſtages of their hiſtory, correſponding to the viciſſitudes of their political ſituation. They, who cenſure with ſeverity, the conduct, either of miniſtry or oppoſition in our own time, may learn greater candour and indulgence, by taking the ſtandard of their judgment, with reſpect to public characters and meaſures, from a period which they are able to contemplate, without any bias ariſing from prejudice or intereſt. They, who are deeply affected with the apprehenſion of the fatal conſequences of meaſures of which they diſapprove, may derive comfort, from marking, in the ſequel of hiſtory, the confutation of preſages and fears, announced under ſimilar impreſſions of gloom and deſpondency.

Upon the whole, though ſome ſhades may obſcure the luſtre of that period of our hiſtory, which has elapſed ſince the Revolution, yet the

liberal

liberal mind will recognise, with pleasure, a more advanced progress of liberty, and of every species of national improvement. From many auspicious symptoms, we are encouraged to anticipate, what, perhaps, is at no great distance, a nearer approach to moral and political perfection, than has been exhibited in the record of ages that are past.

No subject can more conduce to the developement of the heart, or to the enlargement of our knowledge of human nature, than that which leads us to trace the springs of political intrigues; and to delineate the various passions, which agitate the votaries of party.

Should this work contribute, in any degree, to eradicate prejudices fatal to order and liberty, to infuse into the mind a detestation of factious and narrow policy, and to cherish a love of probity and patriotism, the highest ambition and fondest wish of the author will be gratified; and his labour will be recollected, with a satisfaction more solid and durable, than that which is excited merely by the praise of diligence and ingenuity.



THE

# HISTORY

OF

# POLITICAL TRANSACTIONS, &c. &c. &c.

## CHAP. I.

*Restoration of Charles the Second.—Temper and Measures of the Convention Parliament.—The Second Parliament loyal, but averse to Toleration.—Corporation and Uniformity Acts.—Declaration of Indulgence.—Intrigues against Ministry.—War with Holland.—Commencement of Opposition in Parliament.—Fall of Clarendon.—Early Schemes against the Duke of York.—Peace with Holland.—Reasons for an Alliance with Holland.—Charles dissatisfied with his Parliament.—Secret Treaty between Charles and Lewis.—Character of the King's Ministers.—Measures taken in concert with Lewis.—Arbitrary Measures of Administration.—Second War with Holland—unsuccessful.—The King solicits the Aid of Parliament.—Prudent and firm Conduct of the Commons.—Breaks and divides the Cabal.—Indulgence recalled.—Address against Roman Catholics.—Test Act.—Reflections.—Address concerning Grievances.—Opposition of Shaftsbury to the Court.—His Character.—Conversion of the Duke of York to the Roman Catholic Religion.—Proceedings of Parliament.—Lord Danby becomes the Object of the Resentment of the Commons.—His Conduct as a Minister.—New Test Bill.*

CHAP. I. 1660. 8th May. Restoration of Charles the Second.

THE restoration of Charles the Second filled the nation with joy, and was followed by a long period of peace and political harmony. The prince, the ministry, and the parliament, were united in the same views of policy; and the business of the nation was conducted without opposition from any party.



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CHAP. I. 1660.

Temper and measures of the convention parliament.

The convention parliament mingled patriotism with loyalty. While they provided for the support of the king, and testified their indignation against the persons who were stained with the blood of his father, they adopted the most effectual measures to complete the settlement of the nation, and to prevent future oppression. They passed an act of indemnity, disbanded the army, and abolished the courts of wards and liveries; a branch of the royal revenue most grievous to the subject. Judicial proceedings, which had taken place during the usurpation, were ratified; all persons, who had been violently deprived of titles, offices, and estates, were restored to them [1].

A great proportion of the members of the convention parliament were presbyterians [2]; and as their political principles led them to wish for limitations of the prerogative, some of them had moved to specify these, as conditions of the king's restoration [3]. Though the impatience of the nation, and the authority of general Monk, had over-ruled their design, yet the recent obligations they had conferred upon the king, and the questions which lay open to discussion in carrying on the settlement of the nation, seemed to present an opportunity, peculiarly favourable to the recommendation and success of their political system.

If the apprehension of these consequences privately lessened the king's confidence in this parliament, the narrow and unconstitutional principle, upon which it had been convened, afforded a specious pretext for hastening its dissolution. The writs for a general election had been issued by the few remaining members of the long parliament; and all, who had assisted in the war against that parliament, were declared incapable of being elected representatives of the people [4]. The convention parliament was dissolved on the 29th of December.

[1] Journ. Lords and Commons, passim.
[2] Life of Clarendon, vol. i. p. 222.
[3] Ludlow's Memoirs, vol. iii.
[4] Echard, vol. iii.

CHAP. I.

The second parliament loyal, 8th May 1661,

Zeal for loyalty was preferred to every other qualification, in the choice of members to serve in the second parliament of Charles. Far from any inclination to assert and establish the ancient privileges of the people and to prescribe boundaries to prerogative, the commons, in the fervour of loyalty, had no object so much at heart as to exalt the power, and gratify the desires, of the sovereign[5]. To the sound policy of administration, and, particularly, to the moderate counsels of the earl of Clarendon, more than to the wisdom and temper of parliament, the nation was indebted, not only for restraining the ebullitions of loyal zeal, but for the adoption of salutary laws, which had been enacted during the establishment of the republic[6]. If the ministry approved of, or advised, in a few instances, exertions of prerogative illegal and of dangerous example, they are to be considered as exceptions to the established rules of their political system; they were prompted by necessity, and the sudden apprehension of danger, arising from conspiracies against the king, formidable by the inveterate and enthusiastic disaffection, rather than by the number and rank, of the persons who formed them[7]. The king resumed the power of regulating the militia without waiting for the consent of parliament. A proclamation against printing and selling seditious libels was expressed in terms inauspicious to the liberty of the press. Two regiments, one of horse, and another of foot, were raised to be a guard to the person of the prince, which, considered as the beginning of a standing army, was an object of jealousy to a free people. These measures were suffered to pass without any apology offered by the prince, or any animadversion or check interposed by the parliament.

18th July.

but averse to toleration.

Religious toleration was the single point upon which ministry and parliament, in the early period of this reign, maintained sentiments different from those of the prince; and adhering to which they were bold enough to thwart his private wishes, and prescribe limita-

[5] Coke's Detection. Reresby. [6] Burnet. [7] Ralph, vol. i.

CHAP. I.

14th April, 1660.

tions to his authority. The king, by his declaration from Breda, had promifed indulgence to the prefbyterians; their fervices in the reftoration merited this favour, and his honour was interefted in making it effectual. There remains, however, no room to doubt, that a partiality to the Roman catholics, and the fcheme of extending indulgence to them, more than either lenity of difpofition, or regard to his honour, were the motives of the king's public favour to the proteftant diffenters; and that the fufpicion of thefe motives aggravated the offence, and inflamed the refentment which his declaration excited among the loyalifts of the church of England [a].

Corporation and uniformity acts.

The earl of Clarendon, who had the principal direction of affairs at this time, was attached to the worfhip and forms of the church of England, with all that enthufiaftic zeal with which the eftablifhed triumph of party naturally infpires its votaries, after a period of depreffion and ftruggle; and which, notwithftanding his prudence and generofity, betrayed him into meafures fevere and illiberal, when the intereft of epifcopacy was concerned. Monarchy and the church of England, during the late convulfions of the nation, had been blended in the fame political fate; they had the fame enemies, the fame friends, and had fallen together by the fame fhock. Hence the moft zealous loyalifts had been led to confider the interefts of the church and of the monarchy as indiffolubly united, and the corporation and uniformity acts were contrived to exclude proteftant diffenters from civil and ecclefiaftical power.

20th Dec. 1661.
19th May, 1662.
Declaration of indulgence.

The king did not ufe any influence to prevent the act of uniformity, or to procure fuch modifications of it, as might leave room for a legal and inoffenfive difcharge of the promife made in his declaration at Breda. Indolent and inconfiderate, he probably did

[a] This account of the king's declaration is admitted by North, an author by no means prone to cenfure or mifinterpret the conduct of Charles. North's Examen, p. 431.—It is alfo confirmed by the declaration of lord Stafford in the houfe of peers, and by the feverity of the king to the proteftant diffenters, after the period when their intereft was diftinguifhed from, and fet in oppofition to, that of the Roman catholics.

not

1662.

not apprehend the extent of the violence and cruelty with which it was fraught, or believe that the presbyterian clergy would resist it with such unanimity and firmness. He was, perhaps, deceived by his experience, and trusted that the obsequious temper of his parliament would dispose them to connive at any interposition of prerogative, intended to mitigate the severities resulting from a rigid execution of the law. Two thousand presbyterian ministers were ejected from their livings, and many of them reduced to indigence [9]. Charles was upbraided with the breach of his promise, and the oppression of his government. The plea of humanity afforded him a specious pretext for trying the strength of prerogative, and establishing a precedent for indulgence to the Roman catholics. He published a declaration, dispensing with the penalties imposed by the act of uniformity; and some of the dissenting ministers, who had been committed by the lord mayor of London for violating that act, were set at liberty [10]. A measure, which at once shocked their religious prejudices and so deeply wounded the principles of the constitution, was opposed by the commons, with the manifold advantages which result from fervour of zeal and solidity of argument. The king revoked his indulgence. The commons were soothed, and again became generous and indulgent, in every other instance, to the inclinations of the sovereign.

24th August.

26th Dec.

Feb. 1663.

It were erroneous, however, to conclude, that, during this serene state of politics, the ambition of individuals was asleep; or that no conspiracies were formed against ministers by those who envied their power and emoluments. The principal offices of administration, after the king's return, were divided between the persons who had given proof of their fidelity to his father, and those who had been most forward and useful in promoting his own restoration. To the former were chiefly assigned the responsible and laborious departments of government; their attention to business, and gravity of

Intrigues against ministry.

9 Life of Baxter.

10 Ralph, vol. i.

deportment,

CHAP. I. 1663.

deportment, secluded them from that familiar intercourse with their master, which was enjoyed by companions nearly of his own age, and qualified by congenial humour to gratify his taste for mirth and pleasure [11]. Flattered by the participation of his amusements and easy access to his person, the duke of Buckingham, the earl of Bristol, and sir Henry Bennet, had early cherished the idea of gaining the ascendency in his councils, and of directing the disposal of preferments and places. But as any direct attempt to embarrass the affairs of government, would have been offensive to the king, by disturbing his repose, and ill received by a parliament overcharged with loyalty, their attacks upon the ministers were not founded upon mal-administration, or brought forward in the open path of parliamentary opposition, but levelled against their private characters, and conducted through the dark channel of intrigue and calumny [12]. Suspicions of the fidelity of his ministers were artfully infused into the royal breast, and the chancellor, particularly, was represented as maintaining principles, hostile to prerogative and the independence of the crown. They employed the influence of the king's mistresses, who were exasperated by the contempt with which they were treated by the chancellor, and readily co-operated to undermine him. They plied every engine of ridicule and humour, particularly fitted to work upon a temper addicted to frolic and levity [13]. So long, however, as the king found himself at ease, and obtained the supplies he demanded, he remained immoveable, by the motives of ambition, the importunity of mistresses, and the detraction insinuated against his ministers by loose and unprincipled companions.

[11] Life of Clarendon. Life of lord Keeper Guilford.

[12] An open attack was made upon the administration of Clarendon, by the earl of Bristol, in the house of lords, in the third session of the second parliament, 10th July, 1663. But the charge exhibited against him, consisting of articles of high treason and various misdemeanours, appeared so invidious and irregular in the opinion of the twelve judges to whom it was referred, that it was dismissed unanimously; and drew upon its author severe expressions of the king's displeasure. Kennet, vol. iii.

[13] Life of Clarendon, vol. i. p. 281. Carte's Life of Ormond, vol. ii.

The

C H A P. I.

The actual experience of inconveniences often predicted, produced, at last, a revolution in the ministerial departments, dissolved the harmony which subsisted between the king and his parliament; and entirely changed the form and state of politics in the succeeding years of this reign. The king was urged, by the general inclinations of his people, and the importunity of private friends, to enter into a war with the Dutch [14]. The sum of two millions five hundred thousand pounds was voted by the commons for defraying the expences of the war. Liberal and unexampled as this supply was, the king found it inadequate; and made a demand for further supplies, in the full expectation of being answered with the same cheerfulness and generosity.

1663. War with Holland.

25th Nov. 1664.

But now a variety of causes contributed to render the commons more slow and cautious in disposing of the public money, though solicited for the support of a war which they had warmly recommended. Their constituents, pressed by the burden of the former supplies, began to observe, with a censorious eye, the profusion of the court, and to complain of the mismanagement and perversion of sums voted for the public service. The commons, jealous for the protection

Commencement of opposition in parliament.

[14] War was declared against Holland, 4th March, 1665. The nation in general approved of this war, from a jealousy of the Dutch encroaching upon our trade, and the resentment of injuries supposed to have been committed by them against the English East India Company. Temple's Letters to sir John Temple, Oct. 10, 1667.—Both houses of parliament addressed the king against the Dutch, The commons highly approved of the war, and thanked the king for having entered into it. Journ. Com. 10th Oct. 1665.—The king was secretly averse to the war. Life of James, 1664.—The selfish views of individuals had a considerable influence in promoting the first war with Holland. The duke of York, fond of military employment, viewed the injuries committed by the Dutch in exaggerated colours, and incensed his brother against them. Life of Clarendon, vol. ii. p. 14. — The duke of Albemarle was piqued with the Dutch on account of personal affronts which he had received while he served in their army, and flattered the court with an unbounded prospect of success, by disparaging their military and naval force. Life of James.—The French invidiously fomented the quarrel, expecting that it would furnish them with a pretence for encroaching upon Flanders, by interfering in the war, either upon the side of Holland or England, as contingent events should direct. Secret History of Europe, vol. i.—The success of the English at sea in the beginning of the war, and their treaty with the Bishop of Munster, determined the French to declare in favour of Holland. Ibid.

CHAP. I. 1665.

protection of the established religion, were fretted by the repeated attempts of the court to introduce and support the toleration of dissenters. Though the king had departed from his declaration, his favourable inclinations were privately communicated to the dissenters, and he displayed extreme backwardness in executing those laws against them which were dictated by the ardent zeal of the commons[15]. The solicitations of the crown for supplies reminded them of its dependence, and inspired them with a consciousness of authority and importance, with which they were before unacquainted. The power of conferring obligations upon the prince, the source of honour and promotion, opened a fair prospect of gratifying the ambition and avarice of individuals. The very men who had hitherto laboured to rouse the resentment of the sovereign against his ministers, for hesitating to remove the ancient limitations of prerogative, and to establish the independence of the crown, began now to censure public measures, and to awaken a jealousy of the court, in order to raise an opposition in parliament, over which they might preside, and advance their own political importance. Extravagance and abuse in the expenditure of the revenue, suggested an inquiry into the disbursements of the supplies, and, at length, accomplished a resolution of the commons to appoint commissioners to revise the public accounts[16]. The king, mortified by a measure which he considered as disrespectful to his dignity, and fatal to his independence, resorted to remedies calculated to procure immediate tranquillity, without foreseeing the multiplied and lasting embarrassments to which they gave birth. By conferring pensions upon some, and promising preferments to others, he purchased an interval of repose; while, by exciting avarice, and cherishing expectations beyond the compass of his ability to gratify, he planted those seeds

1666.

1666-7.

[15] Ralph, vol. i.

[16] Journ. Commons, Sept. Oct. and Dec.

of

of importunity and disappointment which embittered the peace of his future years[17].

1656. Fall of Clarendon.

At this period, the king reflected, with regret, upon the opportunities of attaining to independence and absolute power, which had been neglected by the persons hitherto entrusted with the management of his affairs. The candidates for preferment artfully fell in with the stream of incidents, and adapted themselves to the present temper of their master, to gratify their resentment, and to promote their schemes of personal aggrandisement. They easily persuaded the king to consent to the disgrace of the earl of Clarendon, as the means of gaining popularity, and re-establishing the vigour of the monarchy. The pre-eminence and long continuance of Clarendon's influence had excited the envy of many persons of the first rank, who were warmly attached to the royal family. The sternness of his virtue over-awed and rebuked the fashionable licentiousness of the court. The superciliousness and formality of his external deportment rendered him ungracious to those with whom he conversed, in transactions of business, and the ordinary intercourse of life. A partiality to the character of the king, inclined all parties to impute to the person who bore the principal sway in administration, every private injury, and every public calamity. The rigid laws against dissenters, and remissness in the execution of them; the neglect of indigent loyalists; the sale of Dunkirk; the marriage of the king; the ill success of the war; charges in some instances discordant and incompatible, were heaped together, in order to unite men of opposite principles and parties, in that odium and rancour which pursued the falling minister. It was at the same time represented to the king, that his affairs were not irretrievable; that, by removing the ministers who had hitherto limited his authority, and obstructed his schemes, he might yet build up prerogative, attain to a state of ease, and make himself independent on the

31st Aug. 1667.

[17] Life of Clarendon, Marvel.

CHAP. I. 1667.

favour of parliament [18]. The ſnare anſwered the moſt ſanguine expectations of thoſe who laid it, and the king ſurrendered Clarendon to the unmerited and malicious proſecution of his enemies [19].

With this event commences a new epoch in the political hiſtory of this reign. It is crowded with the buſtle, the intrigues, and the exertion, of parties; it exhibits the commencement, the progreſs, and the moſt diverſified forms of faction.

Early ſchemes againſt the duke of York.

After the fall of Clarendon, the duke of Buckingham and the earl of Arlington became rivals for the favour of the king, which was ſtill conſidered as the only path to power and office. Attentive, however, to their common intereſt, in completing and eſtabliſhing the late revolution in adminiſtration, they ſuppreſſed their mutual animoſities, and united their efforts, to extirpate any influence that remained with the friends of lord Clarendon [20]. The duke of York, though unable to ſtop the torrent of oppoſition which had overwhelmed his father-in-law, ſtill avowed his attachment to his relation, and declined to enter into any terms of agreement with a miniſtry exalted upon his diſgrace. To avert the diſtant proſpect of feeling his reſentment, the new adminiſtration, at an early period, formed the deſign of defeating his ſucceſſion to the crown. Different plans of accompliſhing this important object were ſuggeſted by thoſe who were equally intereſted in its ſucceſs. Some of them hoped, that the king might be prevailed upon to conſent to a divorce, on account of the barrenneſs of the queen; a meaſure, which, if it obtained the ſanction of parliament, could not fail to be highly acceptable to the nation, originally diſſatisfied with the match, and alarmed at the conſequences of an alliance between their ſovereign and a Roman catholic family. Another plan of ſubverting the duke's title to the ſucceſſion, not only leſs tedious in execution, but leſs exceptionable, on account of its being free from any charge

[18] Cunningham's Hiſtory of Britain, vol. i. p. 19. Life of Ormond.

[19] Jour. Lords and Commons, Oct. and Nov.

[20] Life of James, 1667-8. Burnet, 1668.

of

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of harſhneſs and diſreſpect towards the queen, was ſuggeſted by the partial affection of Charles to his ſon, the duke of Monmouth. The friends of the latter were by this encouraged to hope, that they might obtain from the king a formal acknowledgment and confirmation of his having been married to the duke of Monmouth's mother before they cohabited together; a report which many of the nation were inclined to believe, becauſe it had been circulated in converſation; and to ſupport with their influence, becauſe Monmouth ſtood high in their affections [21]. Theſe circumſtances are deſerving of notice, upon account of their influence, at a ſubſequent period, in producing the bill of excluſion, which was then ſupported by the ſame perſons, with arguments more ſpecious and intereſting to the public, than thoſe which firſt ſuggeſted the expediency of ſuch a meaſure.

Peace with Holland.

Peace with Holland, deſired with equal anxiety by the king and the nation, was the firſt meaſure which employed the official labours of the new adminiſtration. The king, who had never entered cordially into the war, became ſtill more averſe to it, becauſe France had ſided with Holland. He was weary with ſoliciting ſupplies, no leſs than the people were with granting them [22]. The revenue and public credit had ſunk during the continuance of the war, and great arrears were due to the army and navy. While the proſpect of ſucceſs abroad was diminiſhed by a reconciliation between the States and the biſhop of Munſter, the nation at home was ſubjected to the moſt mortifying inſult by the boldneſs of the Dutch fleet, which entered the river, and deſtroyed ſeveral ſhips of war at Chatham. The exultation of the ſtates, upon this advantage, was damped, and the views of puſhing hoſtilities any farther againſt England repreſſed by the ambition of the French king, who now began to trample upon every form of juſtice, and to fill the ſurrounding powers on the continent with the moſt alarming apprehen-

19th June, 1667.

[21] Life of James, 1668. Macpherſon's State Papers. [22] Coke.

 ſions.

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ſions. The dejection and diſcontents of England, occaſioned by the late ſuperiority of the Dutch, and the terrors of the Dutch, excited by the ambition of France, diſpoſed both the contending powers to turn their thoughts towards a plan of peace, under the mediation of Sweden. A negociation between England and Holland was opened at Aix la Chapelle, which ſoon terminated in a league defenſive againſt France [23].

Aug. 1667. 23d Jan. 1668.

The ſudden tranſition of England, not only from war to peace, but to the moſt friendly alliance with Holland, and to obligations of reciprocal protection confirmed by the triple alliance, forms one of the moſt ſingular political phenomena that occurs in the reign of Charles the Second. The bias of the king's affection leaned ſtrongly to an alliance with France. He had already made propoſals to that court, and had ſecretly engaged himſelf not to enter into any treaty injurious to her intereſt. The miniſters, whom he now employed, concurred in the ſame prejudices and affections; and, if they had been at liberty to purſue them, they would not have heſitated, in caſe of a competition, about preferring the intereſts of France to thoſe of Holland [24].

Reaſons for an alliance with Holland.

Many motives, however, conſpired to recommend to the king, and his miniſters, a line of foreign policy, different from that which they ſecretly favoured, and to conſtrain an external, though, as it ſoon appeared, a deceitful deference to popular opinions. The parliament, during the continuance of the war, had grown more independent, and had aſſumed a more active and deciſive part in the management of public buſineſs. The people at large began to enter into critical diſcuſſion of public meaſures; and the motives of commercial intereſt, or national reſentment, which at firſt engaged their approbation of war with the States, yielded to indignation at the exorbitant ambition of France, which united England and Holland by a ſenſe of their common danger. It was in vain for the mi-

[23] Temple's Letters, vol. iii. [24] Letter of Ruvigny. Secret Hiſtory of Europe, vol. i.

niſtry,

niſtry, if they ſet out in a courſe of meaſures repugnant to the ſentiments of the nation and the houſe of commons, to expect that they would be able to extricate the revenue from the incumbrances with which the war had loaded it, or to maintain the power which they had acquired. The ſyſtem of foreign policy, recommended to the king and his miniſters by motives of popularity and domeſtic convenience, was, at the ſame time, moſt flattering to their own honour, and the reputation of the nation abroad. The king had lately acted as mediator in a peace between Spain and Portugal. By entering into a league with Holland, in order to prevent the future encroachments of France upon the provinces in Flanders, which was equally dreaded by the States, the Emperor, and Spain, he would be regarded as arbiter of the fate, and guardian of the liberties, of Europe[25]. Though the king himſelf was but little ſtimulated by motives of honour and patriotiſm, he could not be ignorant of the inconveniences he might ſuffer, by thwarting meaſures ſo conſiſtent with ſound and liberal policy, and ſo earneſtly urged by the wiſhes of his people. The triple alliance, candidly aſcribed to the obvious and powerful motives we have already mentioned, effaced the ſuſpicion of his attachment to France, and reſtored him to the affection and confidence of his ſubjects[26].

[25] Temple's Letters.

[26] It is aſſerted by ſome, that the triple league was inſidiouſly encouraged by France, as it conceded to her the conqueſts ſhe had already made in Flanders, or ſtipulated an equivalent, if Spain ſhould reſume them. If Spain declined compliance with either of theſe alternatives, it would afford France a fair pretext for renewing the war, and for making farther encroachments. Coke. Bolingbroke's Letters.

By the letters of Charles the Second to Lewis and the Dutcheſs of Orleans, it appears, that the former had entered into the triple league without the conſent of Lewis, but, at the ſame time, was perſuaded, that it could not be injurious to the French intereſt. That Lewis, however, was offended with the league, appears from the language of Ruvigny, his ambaſſador at London, to Charles, to whom, renewing his profeſſions of eſteem and affection for Lewis, he, Ruvigny, replied, That his, Charles's conduct had been but little anſwerable to theſe profeſſions, and that he knew it had given cauſe of offence and miſtruſt to his maſter. Dalrymple's Appendix, p. 10.

It is probable, that, from a ſuſpicion of the triple league being diſagreeable to France, or upon the actual notice of its being ſo, Lord Clifford ſaid to a friend of Sir William Temple's, "For all this, we muſt have a war "with the Dutch before it be long." Temple's Memoirs, vol. i. p. 261.

So

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So far as we have advanced in our hiſtory, judging from the facts and meaſures which have lain open to our inſpection, no flagrant error in policy, nor iniquity in government, can be imputed to the character of the prince. His propenſity to ſoften the rigour of the act of uniformity, though it precipitated him into the violation of the law, was ſo conſonant to lenity, and a reſpect to his early promiſes to the preſbyterians, that we might perhaps have heſitated whether to praiſe or to cenſure, if the future meaſures of his reign did not extinguiſh all credit for his ever having been actuated by ſuch reſpectable motives. The perſecution of Clarendon, unjuſt and ſevere, was carried on with ſuch unanimous and vehement rancour by every party, that no common degree of fortitude in the prince muſt have been neceſſary to reſiſt its effects, and protect his miniſter, though he had been entirely ſatisfied with his conduct. The triple alliance was founded upon generous and ſound maxims of policy, redounded immediately to the dignity of the crown and nation, and inſpired pleaſing expectations, that wiſe meaſures would be purſued through the remainder of this reign. How far theſe expectations were well founded, and how far either private virtue or patriotiſm mingled among the motives by which the king was influenced, and dictated the ſchemes he purſued, will appear from the events which fill the following pages.

Charles diſſatisfied with his parliament.

The caution of the commons in granting ſupplies, and the firmneſs with which they had repelled every attempt to diſpenſe with the laws, though conducted with reſpect and qualified with expreſſions of affection to the prince, infuſed into his mind ſeeds of diſguſt, which gradually ripened into an unconquerable averſion to his parliament. The incumbrances occaſioned by the king's domeſtic profuſion, as well as the neceſſary diſburſements during the war, diſpoſed him eagerly to liſten to any plan for the augmentation of his revenue, independently of the favour of parliament, ever precarious and annexed to ſtipulations derogatory to his dignity and power.

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As an early attachment inclined the king to prefer an alliance with France to that of any other nation[27], so, her religion, her political interests, her military power, seemed to render her both able and disposed to assist his designs of acquiring an independent subsistence and an absolute sway. The extension of dominion by the annexation of the provinces of Flanders belonging to Spain and Holland, presented the most alluring bait to the ambition of France, and could only be obstructed by the interference of England, which, so far as the sentiments and true interests of that nation were regarded, she had every reason to expect[28].

Secret treaty between Charles and Lewis.

An alliance so favourable to the schemes of Charles and Lewis had probably been projected by both of them, previous to any direct communication of their sentiments to each other. The former first intimated his friendly inclinations to the latter by the intervention of the queen-mother, and his sister the dutchess of Orleans, well qualified, by situation and zeal, to be agents in this business[29]. No attention and no pains were omitted by Lewis to encourage the advances and correspondence of Charles, and to improve them into a durable bond of union, subservient to his schemes of invading the territories of his neighbours. Colbert was dispatched into England to converse with Charles concerning the plan of an alliance with France. The dutchess of Orleans made a visit to her brother, to enforce and to hasten the negociations of the French ambassador[30]. All the articles of alliance were at last agreed to and ratified by a secret treaty between Charles and Lewis[31]. Though it was necessary to conduct a treaty odious to the people of England with the utmost address and

Aug. 1668.

May, 1670.

[27] D. Estrades' letters.

[28] Letters of Colbert.

[29] Letter of Charles to the queen-mother. Ralph, vol. i. p. 152.

[30] Testament politique de Colbert, p. 257.

[31] The principal articles of this treaty were, that Lewis and Charles were to join in a war against Holland; that king Charles was to receive two hundred thousand pounds for declaring himself a Roman catholic; and that France was to assist him with troops, should his subjects rebel, Dalrymple's Appendix, p. 30. This treaty was signed by the earl of Arundel, sir Thomas Clifford, and sir John Beeling, 1st June, and ratified by Lewis, 10th June 1670.

secrecy,

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secrecy, yet it could not be carried into execution without the knowledge and concurrence of the persons entrusted with the official departments of government. The secret was first imparted to a few who were friends to the Roman catholic religion. The king, at a private meeting held in the duke of York's closet, at which the duke of York himself, lord Arundel, lord Arlington, and sir Thomas Clifford, all Roman catholics, were present, declared his zeal for the Roman catholic religion, and advised with them concerning the proper means of advancing it in his dominions [32]. The result of this conversation was what the king wished, and had already consented to in his private treaty with Lewis; namely, that this bold design could only be carried into execution in conjunction with France. For this purpose lord Arundel was sent over to execute a formal treaty, upon the terms already specified in the private correspondence between Charles and Lewis. This treaty, though conducted with the utmost secrecy, did not escape the suspicions of the nation at the period when it was transacted [33], nor could it be fulfilled without an open and avowed alliance between England and France. The duke of Buckingham, who was a stranger to the first treaty, was sent to the court of France to carry compliments of condolence upon the death of the dutchess of Orleans; and, at the same time, to negociate a treaty, nearly the same with that which had been privately concluded between Charles and Lewis [34].

Characters of the king's ministers.

It now remained that the king should make choice of such counsellors as were most capable of assisting him in the crooked and odious system of policy, which he had, to his disgrace, bound himself to adopt. Dissimulation, secrecy, intrepidity, disaffection, or indif-

[32] Life of James, 1669. Macpherson's State Papers.

[33] State Tracts, time of Charles.

[34] Echard, vol. iii. p. 255. The article of religion was suppressed, as too odious to be endured by the nation. At the same time, that the king might not lose any part of the premium which induced him to connect himself with France, the sum of twenty thousand pounds, stipulated upon the condition of declaring himself a Roman catholic, was added to the sum he was to receive on account of his declaring war against Holland. Dalrymple's Appendix, p. 70. Reresby.

ference

ference to the religion and conſtitution of their country; were the qualities principally requiſite in men engaged to purſue a ſeries of meaſures full of innovation, fatal to liberty; and expoſed to the moſt violent oppoſition, from the combined influence of prejudice and principle. Five perſons, ſir Thomas Clifford, the earl of Arlington, the duke of Buckingham, Aſhley Cooper, and the earl of Lauderdale, were the little council ſelected by the king, to carry into execution his plan of changing the conſtitution and the religion of the kingdom; and, as the preſent confederacy correſponded with the initial letters of their names, they received the denomination of the Cabal. Theſe men were not united by harmony of political ſentiment, or by any bond of affection or party, previous to the aſſociation into which they were now formed by the choice of their ſovereign. Some of them had profeſſed to entertain views of policy and of the intereſt of England, very different from the purpoſe of their preſent coalition. Among others of them, competitions and animoſities had ſubſiſted, which, though apparently ſuppreſſed, were not in reality extinguiſhed; and, fortunately for the nation, they broke out afreſh, cauſed a diviſion among them, and ſaved the liberties of England, as ſoon as the king began to be ſtaggered with the complaints and remonſtrances of parliament[35]. The choice of the king, however, was not fixed, without a regard to talents, which recommended the members of the cabal to a preference, for the ſervices he intended to exact from them. Arlington and Clifford were attached, with all the zeal of new proſelytes, to the Roman catholic faith, which was a principal object of the alliance with France. The former had been converſant in affairs abroad, and had acquired a great influence over the mind of the king, from having participated in his pleaſures, and accommodated himſelf to his temper. The latter had diſtinguiſhed himſelf as a ready ſpeaker in the houſe of commons, and had acquired reputation for capacity, and appli-

[35] North's Examen, p. 453. Memorial of Ruvigny, Dal. Ap. Life of James, 1670.

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cation in the management of businefs[36]. The patronage of the dutchefs of Orleans, which Buckingham enjoyed as long as fhe lived, and the ardour with which he entered into the French intereft, fupported his claim to be admitted into the counfels of the cabal, notwithftanding his having forfeited the confidence of the king, by the infolence of his behaviour. The tranfcendent abilities of Afhley Cooper rendered his fupport defirable, and his oppofition formidable to every party. The earl of Lauderdale, by uniting zeal for the prerogative, with flexibility of temper, and compliance with the wayward humours and unfettled refolutions of the king, gained a firmer hold of his confidence, than any minifter he ever employed. The members of the cabal, as an encouragement for their fervices, received donations of money from the French king, and diftinguifhed preferments from their own prince[37].

Meafures taken in concert with Lewis.

From the time that the alliance with France was projected, the king had taken indirect meafures to teftify his partiality for Lewis, and to put himfelf in a condition of rendering him more open and fubftantial fervices. French officers and failors were trained in the Englifh fleet; naval and military improvements, difcovered in England, were imparted to the French court[38]. By a meafure, more treacherous and abufive of the confidence of parliament, Charles forwarded his preparations for entering into an efficient alliance with France. Under the pretext of an alarm from the augmentation of the French fleet, he folicited a fupply from the commons, to enable him to fit out fifty-two fhips of the line; and, in order more effectually to lull fufpicions, he repeated his affurances of attachment to the national religion, and his refolution to execute, with rigour, the laws againft the Roman catholics[39]. The fupply obtained was bafely ap-

[36] Sheffield, duke of Buckingham, vol. ii. Burnet.

[37] Burnet. Lauderdale was made a duke; Afhley Cooper a peer, by the title of the earl of Shaftfbury; Clifford was alfo ennobled, and made lord treafurer; Arlington was made fecretary of ftate.

[38] Secret Hiftory of Europe, vol. i.

[39] Journ. Commons, 14th Feb. 1670, and 13th March 1671.

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plied to the ſupport of that power which it was intended to control. He ſent Mr. Coventry ambaſſador to Stockholm, to co-operate with the French agents in detaching Sweden from the triple alliance. The parliament, which was prorogued to the twenty-ſecond of April one thouſand ſix hundred and ſeventy-one, was, in conſequence of repeated prorogations, prevented from meeting for the diſpatch of buſineſs till the fourth of February one thouſand ſix hundred and ſeventy-three. Prince Rupert, lord keeper Bridgeman, Mr. ſecretary Trevor, and the duke of Ormond, were removed from the council of foreign affairs, that they might not give any obſtruction to the meaſures the king was bound to purſue, in conformity to his engagements with France [40].

Arbitrary meaſures of adminiſtration.

Under the dominion of the cabal, emancipated from the control of oppoſing counſellors, and the awe of parliament, all diſguiſe was laid aſide, and the moſt violent meaſures were attempted, to accompliſh the ends of the French treaty. The triple league was diſſolved; war was declared againſt Holland upon the moſt frivolous pretences, and the commencement of it was attended with the moſt diſhonourable circumſtances [41]. The navigation act was ſuſpended. A proclamation was publiſhed, for maintaining ſtrict diſcipline in the

2d February, 1672.

[40] Kennet. Life of Ormond.

[41] The pretences, under which war was declared againſt Holland, are acknowledged to be frivolous, even by authors partial to the court. Some of them were ſo trifling, that the very notice of them degraded the dignity of adminiſtration. They complained of libels, medals, and pictures in Holland, which were an affront to the king. Other reaſons, of a more ſerious complexion, ſuch as inſults and wrongs committed againſt the India company, were ſuggeſted by the influence of the court. The inſult to the Britiſh flag, inrolled in the liſt of provocations, was deſignedly courted by the Engliſh, and amounted to no more than this—that a Dutch admiral, with his fleet, upon the coaſt of Holland, had refuſed to ſtrike ſail, when required by a captain of one of the king's yachts; and, after all, the Dutch offered any ſatisfaction the king ſhould think fit to demand. But no ſooner was one complaint obviated, than another was ſtarted; and Downing, who was ſent to Holland to make complaints, returned with all poſſible haſte, as if he had been afraid of receiving ſatisfactory anſwers. North's Examen. Coke. Temple, vol. ii. and iii. Secret Hiſtory of Europe, vol. i. p. 138.

The war commenced with diſhonourable circumſtances. A fleet was ſent out, under the command of ſir Robert Holmes, to captivate the Dutch Smyrna fleet, previous to the declaration of war. The failure of this expedition was a great diſappointment to the cabal, who expected to procure ſuch a ſum by the prizes, as would enable them to carry on the war without aid from parliament. Ibid.



army,

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army, in order to palliate the offence occaſioned by the additional numbers of ſoldiers quartered in the country. To ſuperſede the neceſſity of ſummoning a parliament to grant ſupplies, the exchequer was ſhut, and the ſums, due to many of his ſubjects, were applied by the king for the ſupport of his fleet and army [42]. A declaration for liberty of conſcience was again publiſhed, as the moſt effectual method of reconciling diſſenters of every deſcription to the meaſures of adminiſtration. The chancellor of the exchequer, by his own authority, iſſued writs for the election of members to ſupply the vacancies in parliament [43]. In order to ſuppreſs the murmurs, and overawe the complaints, which a ſeries of meaſures, ſo arbitrary and dangerous, could not fail to provoke, a proclamation was publiſhed, threatening ſevere puniſhment againſt all perſons who preſumed, by writing or ſpeaking, to publiſh falſe news, or to intermeddle with the affairs of ſtate, or with the perſons of any of his majeſty's counſellors and miniſters.

June, 1672.

War with Holland,

The war with Holland was proſecuted with activity, but was not attended with the ſucceſs which had been anticipated by the cabal, and which was neceſſary to realiſe the ſchemes of independence and power graſped at by Charles. The wiſdom and enterpriſe of the young prince of Orange, now reſtored to the prerogatives of his anceſtors, united the councils and animated the reſolutions of all the ſtates, and diſplayed the moſt glorious and fortunate efforts of de-

[42] The exchequer was twice ſhut; firſt, on the 8th Jan. 1672 to the 31ſt Dec. 1672, and again on the 31ſt Dec. 1672 to the 6th May 1673. It was expected by the cabal, that the detention of money, and the Dutch ſpoils, would ſuperſede all ſupplies. It is aſſerted, that, after the reſolution of ſhutting the exchequer was adopted by the cabal, the execution of it was ſuſpended, till they and their friends had drawn out the ſums due to them by government—Honeſty the beſt policy. Somers' Col. vol. vii. p. 363.

[43] This power, aſſumed by the chancellor, had been hitherto exerciſed by him only after receiving the ſpeaker's warrant. It might, perhaps, be the inſtrument of throwing ſome additional weight into the ſcale of the crown, by accelerating or delaying the time of election, ſo as to favour the intereſt of the candidates devoted to the court. This, however, muſt have been inconſiderable; and it rather appears to have been intended to ſerve lord Shaftſbury's own political views in the elections for the county of Dorſet, where his intereſt lay. North's Examen, p. 56.

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fence against the combined force of England and France. By entering into an alliance both with the Emperor and with Spain, he disappointed that rapidity of conqueſt, upon which the Engliſh and French monarchs had confidently reckoned from the ſuperiority of their arms; and upon the accompliſhment of which, the independence and arbitrary views of the former were, in a great meaſure, ſuſpended. The temporary ſupplies, once and again derived from ſhutting the exchequer, were exhauſted. The funds, raiſed out of the Dutch ſpoils, fell ſhort of expectation; and neceſſity once more conſtrained Charles to ſupplicate aid of that very parliament, upon which it was the object of the war to render himſelf independent.

CHAP. I. 1673. unſucceſsful.

The king ſolicits the aid of parliament.

Two expedients only were left to the choice of the king, by which he could expect to perſevere in the ſyſtem of political meaſures he had adopted, in conjunction with the court of France. By ſmoothneſs of addreſs, and by anticipating the wiſh of his people, in retracting ſome of the moſt odious exertions of prerogative, which had taken place during the long receſs of parliament, the king might hope to ſooth the commons into an approbation of the war, and to obtain ſupplies for the maintenance of his army, which might be employed, at ſome future period, as the inſtrument of arbitrary power; or, by aſſuming the language of boldneſs and reſolution, parliament might be over-awed, oppoſition diſconcerted in its firſt formation, and an eaſy and complete victory obtained over the liberties of his people. If the former of theſe was preferred, or if the king ſhould ever betray any inclination to relent or to yield, in one ſingle point, to the oppoſition of parliament, the cabal had reaſon to apprehend, not only a ſpeedy diſſolution, and the extinction of their political influence, but alſo to dread utter diſgrace and ruin from the vengeance of an offended nation. As their intereſt prompted them to recommend an unſhaken firmneſs to the king, ſo the worſt effects, that could flow from it, were the violent meaſures of oppoſition in parliament, which would afford them an opportunity of accom-

pliſhing

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plishing, by more direct steps, a change in the constitution, the object of their confederacy. The bold spirit of the cabal, more than the timid disposition of the monarch, dictated the speech by which the king addressed his parliament, which met, for the tenth session, on the fourth of February one thousand six hundred and seventy-three. He assumed the language of high authority. He said, that he had seen the good effects of his declaration for indulgence; that he would take it ill to receive contradiction, and that he was firmly resolved to adhere to it. The earl of Shaftsbury, as chancellor, followed his majesty, with a minute detail of the provocations of the Dutch, in order to justify the war; and held forth nothing less than their utter destruction, as essential to repair the injured honour, and to secure the future prosperity of the English crown. He concluded with the most fulsome panegyric upon the patriotism and virtues of the prince, which, compared with the sentiments he ever after held, exhibits the most striking example of versatility and self-contradiction, that can be selected from the history of any political character.

Prudent and firm conduct of the commons

The wise and temperate measures pursued by the commons, disappointed all the conclusions to which the schemes of the court were adapted; and broke to pieces, without any conflict or struggle, a confederacy, armed for the destruction of the liberty and religion of England. The commons gratified the king's desire, in the choice of a speaker; they unanimously voted a supply of eighteen months assessment, at the rate of seventy thousand pounds a month; they addressed him in the most affectionate expressions of loyalty: but they excluded those members who had been returned upon the writs issued by the chancellor; and boldly remonstrated against the declaration for indulgence, as a violation of law, and dangerous to the constitution [44]. And thus, by a well-timed mixture of patriotism and loyalty, they avoided giving any offence to those who were at-

ut off any reasonable pretext of com-

7th, 19th, 26th, 27th February.

plaint

plaint from the king; while, at the ſame time, they carried along with them the approbation of all who were friends to the conſtitution. The confidence of the members of the cabal began now to be ſhaken, and their counſels to be divided. Some of them exhorted the king to adhere tenaciouſly to his indulgence, while others, ſuſpecting from the reſolute oppoſition of parliament, and the wavering of the king, who gave up the queſtion about the writs, that the ground, on which they ſtood, was no longer tenable, deſerted from the court, and enſured their perſonal ſafety, by expoſing thoſe meaſures of which they had been the principal abettors [45].

breaks and divides the cabal.

The king remained for a few days in a ſtate of perplexity and ſuſpenſe. He put on the countenance of obſtinacy. He addreſſed himſelf to the houſe of lords, complaining of the commons, and ſoliciting their ſupport to maintain his declaration. The diſapprobation of many of the members of both houſes, whom he had reckoned upon as friends, privately intimated to him, and backed by the preſſing entreaties of the French ambaſſador, in the name of his maſter, at laſt entirely overcame the reſolution of Charles; and, as if it had been to atone for paſt offences, he recalled his indulgence, with expreſſions of penitence and indignation [46]. The commons having ſucceeded in their oppoſition to the indulgence, both houſes now turned their attention to ſtrengthen the barriers of the conſtitution in that quarter into which the king had repeatedly attempted to puſh the uſurpations of prerogative. A joint addreſs was preſented by both houſes of parliament, repreſenting the dangers ariſing from popiſh recuſants, and praying the king to command prieſts and jeſuits to depart from the kingdom, and to diſband all officers and ſoldiers who refuſed to take the oaths [47]. This addreſs alſo met with a favourable anſwer from the king.

1ſt March. Indulgence recalled.

Addreſs againſt Roman catholics.

[45] Echard, vol. iii.

[46] Echard, Colbert's Letters to Lewis, Dal. Ap. p. 94.

[47] Journ. Lords, 7th March.

A more

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1673.

Test Act.

A more impregnable and lasting fence for the protection of the church of England the zeal of this parliament raised, by obtaining the royal assent to the test act, which excluded from any office or place of trust and profit, all, who did not renounce the doctrine of transubstantiation, and receive the sacrament of the Lord's Supper, according to the form of the church of England[48]. It is a curious and memorable circumstance, that an act, which shut the door of preferment against the protestant dissenters, and doomed them to the same political incapacity with Roman catholics, not only passed without any opposition from the former; but, that it was promoted by the most respectable leaders of their party.

Reflections.

This concession of the protestant dissenters has been often applauded by their friends, as a singular example of prudence and generosity; because they sacrificed their rights and resentments, to the dread of impending popery, and the security of the reformed religion[49]. Their conduct upon this occasion, whether examined by the rules of probity, or the dictates of enlightened charity, will be found deserving of explicit and marked expressions of condemnation. Professing to guard against popery, did not the dissenters act under the influence of its worst principles? Did they not abandon their rights, as men and as christians? rights, the renunciation of which, for a single day, no fear of danger, nor prospect of future peace, can justify, at the tribunal of conscience.

The event of providence has instructed us, by this, and every similar experiment, to reprobate the imprudence, as well as the immorality of that maxim, That it is lawful to do evil, when good may be obtained by it. A bill brought in for the relief of the protestant dissenters, as the reward of their consent to the test act, was defeated by the disagreement of the two houses, and the adjournment of parliament. And thus, the temporizing spirit of the dissenters has transmitted bondage [illegible]rity, which the liberality of the age

29th March.

[49] Burnet, &c.

in

in which we live, never could have imposed; but from which even that liberality is not adequate to emancipate them, while it is counteracted by religious bigotry, and the timid policy of those who dispense the favours of government.

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Address concerning grievances.

An address of the commons, complaining of grievances, attended the supplies[50]; but it is remarkable, that the most obnoxious measures which had been carried on during the administration of the cabal, were not only omitted, but screened from future crimination, by an act of indemnity, extending to every offence committed against the state, before the fifteenth day of March, one thousand six hundred and seventy-three[51].

Such delicate forbearance in the enumeration of grievances, followed by a measure cancelling the deepest political guilt, was the price opposition paid for the services of the revolted members of the cabal, who afterwards became their champions, and pushed hostilities against the court to the greatest extremities, which brought the government to the brink of a revolution.

From this period, through every succeeding session of parliament in the reign of Charles, we behold a fixed and powerful opposition to the measures of the court. Though this may be accounted for, in some degree, by that jealousy of French and popish influence, which spread over the nation, and was but too well justified by the secret intrigues and open proceedings of the court; yet opposition never could have attained to such consistency and vigour, if it had

[50] Journ. Commons, 25th March.

[51] The grievances enumerated were: an imposition of twelve pence per chaldron on coals, by an order of the privy-council, for providing convoys: the danger arising from the plan, proposed by his majesty's proclamation, for trying offences committed by soldiers; and the irregularities and abuses, occasioned by the pressing of soldiers, and quartering them in private families. Many grievances in Ireland were also enumerated, and referred, principally, to indulgences given to the Roman catholics in that kingdom. Journ. Commons, 25th March.

This address was expressed in terms of great respect to the king, and concludes with observing, That, though it had been the course of former parliaments, to desire a redress of grievances, before they granted supplies; yet they had such full assurance of his majesty's tenderness and regard for his people, that they humbly prostrated themselves at his feet with their petitions. Ibid.

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not been conducted with diſtinguiſhed ability, and encouraged, at the ſame time, by an increaſing diſtruſt of the ſteadineſs and reſolution of the prince. Of all the members of the cabal, no one had gained ſuch aſcendant over the counſels of the prince, as the earl of Shaftſbury. To his influence in particular, there ſeems to be ſufficient evidence for aſcribing the ſhutting of the exchequer: the iſſuing writs, under the ſeal of the chancellor, for new elections: the proclamation for ſuſpending penal laws againſt non-conformiſts; and the keen and impolitic proſecution of the ſecond Dutch war. To theſe meaſures, as we have now ſeen, were owing the decline of the king's popularity, and the ſudden tranſition of parliament from loyal and implicit confidence, to ſuſpicion of his deſigns, and hatred to his miniſters. It were, perhaps, too refined to aſſert, that Shaftſbury ſuggeſted obnoxious meaſures, with a deliberate and formed purpoſe of enſnaring the king; and of deſerting him in the hour of danger, after he had made a breach between him and his people[52]. Shaftſbury was probably ſincere in his hatred to Holland, and wiſhed to extend prerogative, in order to enlarge, at the ſame time, the ſphere of miniſterial power. The advancement of arbitrary government, was the baſis of his own projected elevation; but, when the meaſures he ſuggeſted met with an unexpected and indignant oppoſition from parliament; when the

Oppoſition of Shaftſbury to the court.

[52] It is probable, that Shaftſbury, at firſt, reſolved to ſtand by the king; and that his revolt was occaſioned by the king's wavering conduct, particularly in the affair of the writs: for, when the new writs were iſſued by the ſpeaker, it is aſſerted, that he refuſed for ſome days to ſeal them; declaring it to be an entrenchment upon prerogative. And when he was obliged to do it, by his majeſty's poſitive command, he went home, and turned his back upon the ſealers. Somers, vol. vii. p. 370.

Shaftſbury alone, of all the members of the cabal, was neither the object of impeachment, nor mentioned in any addreſs of grievance. The ſhock, which his ſudden and bold oppoſition had given to the ſpirit and meaſures of the court, completely obliterated the guilt he had contracted by his former aſſociation with miniſtry. The declining intereſt of Buckingham, Arlington, and Clifford, who were marked as the firſt victims of popular reſentment, mitigated the ſeverity with which the commons ſet out, in collecting materials of impeachment againſt them; and they were ſuffered to withdraw, at once, from influence and from danger. The power of Lauderdale and Danby, which continued unſhaken, and increaſing, amidſt the late convulſions of party, provoked the moſt virulent and perſevering attacks of oppoſition.

prince

prince himself was alarmed, and yielded the question of the writs, and the more favourite measure of the indulgence; the chancellor, roused by fear, and stimulated by resentment, did not think it enough to disappoint the court of that weight which accrued from his influence and expertness in debate; he suddenly turned the whole power of his eloquence and abilities into the stream of opposition; he announced menaces and dangers to the royal family, and in the presence of the king, not less rude and disparaging than those which had grated the ears of his father in his lowest humiliation[53]. Thus the adviser of arbitrary measures, and the most zealous partisan of the court, suddenly became the most virulent opposer of the prince, and the most violent and persevering champion of patriotic measures. His abilities, his experience, and his temper, raised him to a decided pre-eminence, above all who stood forth as candidates to take the lead in popular cabals. The ardour, with which he pursued every measure in which he embarked, supplied the want of principle; and, notwithstanding the notorious versatility of his conduct, he gained from his adherents full credit for the sincerity of the motives by which he professed to be actuated. His sagacity, enlarged and instructed by the various revolutions of government which had fallen within the compass of his experience, enabled him to penetrate with acuteness into the tempers and intentions of men; and to calculate, almost to a certainty, the influence of contingent events. He discerned, with no less accuracy, the natural infirmities, as well as the adventitious prejudices, of characters; and ever adopted the most successful plans, to render them subservient to his ambition or resentment. He possessed an imagination lively and fruitful, and contrived expedients, suited to the exigencies and temper of his party, which eluded the invention of men of ordinary capacity. He wonderfully availed himself of accidental circumstances, to invigorate a languishing,

His character.

[53] Burnet. North's Examen.

 and

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and to cheer a despondding, faction. The access which he had to the prince during the period of his administration, discovered to him all his intrigues, passions, and schemes. Like a revolted general, he carried along with him the most accurate knowledge of the strength and resources, the deficiencies and dangers, of those against whom he now turned his arms. He knew upon what side their territory, weak or unguarded, invited the assailant to certain victory and plunder. The natural insolence of his temper raised him above the awe of royalty, while his intimate knowledge of the corrupt policy and profligate manners of the prince, inspired contempt for the character of the man. Shaftsbury was well assured, that he had entered the list of opposition, against a sovereign, who never formed a wish for national prosperity; and that his own pretensions to patriotism were not more false and hypocritical, than those professions of regard to the constitution and the interest of his subjects, which were repeated in the royal speeches and proclamations. So far as regarded principle and patriotism, the king and his antagonist met upon equal terms. "Shaftsbury," said the king to him, when he filled the office of chancellor, "you are the greatest rogue in the kingdom." "I am, of any subject," replied the chancellor. In the recess of parliament, he caballed with every party disaffected to the court, and wrought upon the prejudices of the nation, to excite their terror of the approach of the Roman catholic religion. Many incidents, which now occurred, favoured his designs, and bore the most alarming symptoms of danger.

Conversion of the duke of York to the Roman catholic religion.

The conversion of the duke of York to the Roman catholic religion had been long suspected, and was, at last, confirmed, by the resignation of all his offices, in consequence of the test act. He was about to contract a marriage with the princess of Modena, of the Roman catholic religion. If the partiality of the king to that religion, and his obstinate attachment to France, alarmed the fears of the nation, the character and bigotry of the successor threw them into despair.

The

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1673. Proceedings of parliament.

The effect of these impressions, and of the intrigues of Shaftsbury, were fully displayed in the succeeding sessions of this parliament. The principal aim of the commons, in particular, was to excite, to cherish, and to inflame the dread of popery. They issued an order for the solemn observation of the fifth of November[54], as if the nation had been supine, and too ready to forget the bloody machinations of that religion. They addressed his majesty, to interpose his authority, to prevent the marriage of the duke of York with the princess of Modena[55]. Not satisfied with the exclusion of papists from offices, by the test act as it now stood, a general test was proposed, for distinguishing the protestants from the papists; and all who refused to submit to it, were not to be permitted to come within five miles of the court[56]. They put a negative upon all supplies, till the kingdom was effectually secured from the danger of popery[57]. They presented an address for a general fast[58], and were preparing another against a standing army, when his majesty prorogued the parliament.

4th Nov. 1673.

1674.

During the recess of parliament, after the twelfth session, the king recommended to the chief justices, to put the laws in execution against the Roman catholics. It was resolved in council, that no Roman catholic should presume to approach his majesty's presence, or the vicinity of the court[59]. But the jealousy of the nation was too much inflamed, to be appeased by attentions upon the part of the king, evidently extorted by the necessity of his affairs. The house of peers, the last to depart from respect to the court, had now caught the alarm, and indulged the predominant spirit of the nation. At the beginning of the next session, they concurred with the commons, in an address for a national fast, on account of the danger of popery. The commons resolved to have all their grievances effectually redressed, and the protestant religion and their liberties

13th session, 7th January, 1674.

[54] Journ. Commons, 27th October.
[55] Ibid. 31st October.
[56] Ibid. 30th October, 1st November.
[57] Journ. Commons, 31st October.
[58] Ibid.
[59] Echard, vol. iii.

secured,

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secured, before they took the king's speech into consideration. As if the danger had been imminent, they addressed his majesty, to order the militia of London, and the county of Middlesex, to be ready at an hour's warning, to suppress all tumults and insurrections occasioned by the papists[60]. The list of grievances, contained in the address of the commons, indicated a personal jealousy of the king, and a dread of arbitrary power, as well as of the popish religion[61]. Under the influence of these apprehensions, both houses pursued, through the succeeding sessions of parliament, a series of measures, calculated to circumscribe the power of the crown, and to take away all resources of supplies, without the consent of the national representatives. A standing army, in which were included the king's body-guards, was voted a grievance[62]. A bill was brought in, to make it treason to levy money upon any tax beyond the term prescribed by parliament. They appropriated the tonnage and poundage, according to its ancient and legal destination, to the use of the navy; and presented an address, to prevent any further anticipation of the customs of England or Ireland[63].

Address against Lauderdale.

But the measure which opposition most strenuously laboured to accomplish, and for which repeated addresses were presented to the king, was, the disgrace of the earl of Lauderdale[64]. His ministerial conduct in Scotland exhibited examples of arbitrary power, not only unprecedented, and subversive of the freedom of that kingdom, but evidently fraught with the most dangerous designs upon the peace and constitution of England. The militia of Scotland, raised for the internal defence of that kingdom, was subjected, by an act of the Scots parliament, to the uncontrolled authority of the king, and obliged to march wherever his affairs required its services[65].

[60] Journ. Commons, 12th January.
[61] Ibid. 7th, 11th, 14th February.
[62] Ibid. 7th February.
[63] Ibid. 19th May, 19th October.
[64] Ibid. 31st January 1674, 23d April, 5th May 1675.
[65] History of Affairs in Scotland from 1660. Account of Grievances, by Lauderdale. Impeachment of the duke of Lauderdale, &c. by the city of Edinburgh. Somers, vol. vii. p. 195. 200.

Oppofition to a ftanding army in England was of little avail, while the king retained a body of troops in the neighbouring kingdom prepared for the moft defperate fervices. Many acts of private oppreffion were enumerated in the articles exhibited againft Lauderdale, which excited a general indignation in both kingdoms againft him, but had no effect in leffening his influence at court.

Lord Danby becomes the object of the refentment of the commons.

Next to the duke of Lauderdale, the earl of Danby was the object of parliamentary refentment. As his ufefulnefs to the crown, more than perfonal favour, was the fource of his preferment, fo the envy of his colleagues in adminiftration, and venial political errors, rather than criminal mifconduct, produced that odium which now began to purfue [66], and afterwards accomplifhed, his ruin. Sir Thomas Ofborne was firft employed in a commiffion to examine the accounts of the fums which had been granted to his majefty during the Dutch war. In the profecution of Clarendon, he adopted the keennefs and refentment of the duke of Buckingham, by whom he was early befriended, and afterwards recommended to employment under the adminiftration of the cabal. He difcovered great diligence and capacity for bufinefs in the difcharge of the office of treafurer of the navy, to which he was appointed in the fecond Dutch war. On the refignation of lord Clifford, he was appointed to fucceed him in the office of high treafurer, upon the condition of paying him one half of the falary. He had, unqueftionably, the merit of introducing greater œconomy into the management of the public revenue, than had been obferved by his predeceffors in office fince the commencement of this reign; for he had paid off very confiderable arrears with which it was embarraffed, made the ftated payments more punctual, and, by rendering feveral branches of the revenue more productive, he raifed the national credit, and borrowed money at eight per cent, which had not ufually been procured at lefs than ten. He was fincerely and uniformly attached to the proteftant intereft,

His conduct as a minifter.

[66] Journ. Commons, April, May, paffim.

and

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law eſtabliſhed. The declaring it unlawful to reſiſt thoſe who were commiſſioned by the king, ſeemed to point particularly at the late proceedings of the commons, and to be calculated to render, not only the crown, but miniſters, arbitrary, by ſecuring them from reſiſtance, while acting in the proſecution of unconſtitutional and oppreſſive meaſures. The engaging to make no alteration in the government of church or ſtate, at once overturned the ſupremacy of the crown, and the exerciſe of legiſlative power in parliament. Theſe conſequences, eaſily foreſeen, expoſed this bill to the oppoſition of many, who had hitherto been in the intereſt of the court; and though it paſſed in the houſe of lords, it was only by a majority of two voices, after having been followed by proteſts in every ſtage of it, and conſiderably altered and palliated with a clauſe againſt popery, which was not originally intended by thoſe who moved it[70]. There was great reaſon to apprehend, that, by the exertion of court influence, which was now ſtretched to its utmoſt pitch, it would alſo have paſſed in the houſe of commons, when a diſpute between the two houſes obliged the king to put an end to the ſeſſion of parliament[71].

9th June.

[70] Journ. Lords, April, May, paſſim.

[71] One doctor Shirley brought an appeal before the houſe of lords, from a decree in chancery, againſt ſir John Fagg, a member of the houſe of commons, which the lords received. The commons objected, that the lords exceeded their powers, by receiving an appeal from a court of equity, and that it was a breach of privilege for the lords to ſummon a member of the houſe of commons to appear before them; and, in reſentment of this indignity, they ordered Shirley, and the lawyers who pleaded his cauſe at the bar of the lords, to be committed to priſon. Journ. Lords, 6th, and Commons, 14th May.

Both houſes were heated by this diſpute, and paſſed many angry votes and reſolutions in oppoſition to each other. Ibid.

The violence of this diſpute excited a ſuſpicion, that it was ſtirred up and fomented by the leaders of oppoſition, not only to diſappoint the court of the teſt bill, but to accompliſh the diſſolution of parliament, as the reſentment of both houſes againſt each other ſeemed too deeply fixed to be effaced by prorogations. Burnet.

A jealouſy between the two houſes commenced at an early period in the ſecond parliament of Charles, and continued till its diſſolution. The great demands of the king for money made him pay greater court to the commons, who became elated with a ſenſe of their own conſequence. Evil counſellors uſed to tell the king, that if he had the command of the commons, he need not regard the lords. Life of Clarendon, vol. ii.

The long continuance of parliament enhanced the political conſequence of every member of the houſe of commons. Theſe circumſtances, and the remembrance of the

ſucceſsful uſurpation of the commons upon the lords in the reign of Charles the Firſt awakened the jealouſy of the latter, and rendered them very prone to take offence at the former. The commons were the firſt movers of many important bills in this parliament, and when the lords were dilatory in proceeding on them, the commons were wont to ſend them meſſages to quicken their diligence. The lords degraded themſelves, and became more expoſed to the inſolence of the lower houſe, by an extreme jealouſy of trifling privileges, which they exerciſed with great abuſe. Protections for arreſt of debt were ſhamefully extended, and even ſold by the ſervants of peers to bankrupts, to the ruin of honeſt tradeſmen. The dignity and reputation of the upper houſe was much ſunk, by altercations, perſonal abuſe, and the rudeſt violence among themſelves. Life of Clarendon, vol. ii. p. 294-5.

## CHAP. II.

*Charles makes Peace with Holland,—but continues ſtill in the Intereſt of France.—Enters into a new Treaty with Lewis,—who endeavours to obtain a ſeparate Peace with Holland.—Patriotiſm of the Prince of Orange.—The Court attentive to the Elections.—Parliament meets,—addreſſes the King to form Alliances againſt France.—Altercation between the King and the Commons.—Marriage of the Prince of Orange to the Lady Mary,—made the occaſion of exciting Jealouſies in England,—and in Holland.—The Agents of Lewis and the Leaders of Oppoſition unite in the ſame Views,—of diſbanding the Army,—and of diſſolving the Parliament.—Union between Lewis and the popular Party unnatural and conſtrained.—Parliament meets,—expreſſes Diſtruſt of the King.—Prorogued.—Embarraſſment of the King.—Another Seſſion of Parliament.—Ill-humour of the Commons.—Apology for them.—France evades the Conditions ſhe had agreed to for a Peace.—Sir William Temple ſent to enter into an Alliance with the States,—which is overturned by the wavering of Charles.—The States make Peace with France.—Obſervations upon the Conduct of Charles.—Lord Danby impeached.—Diſſolution,—and Character of the ſecond Parliament of Charles.*

CHAP. II. 1675-6.

IT is now time to return to thoſe meaſures and events which were coincident with the parliamentary proceedings already recited, and which exhibit a picture of the ſpirit and political views of the court, more genuine and lively than that which is drawn from the public declarations of the king and his miniſters, deſigned merely to varniſh obnoxious meaſures, and to conciliate the affections of the people in the moments of ſolicitation and dependence.

Charles makes peace with Holland, 28th February, 1674.

In compliance with the repeated recommendations of parliament, and the moſt earneſt wiſhes of his people, the king amuſed them with a proſpect of peace with Holland; but the tardineſs of his meaſures and

CHAP. II.

1675-6.

but continues still in the interest of France.

and negociations for that purpose, and his obsequiousness to the court of France, tended the more to inflame the jealousy and exhaust the patience of the nation. When, at last, to the remonstrances of parliament, the threats of Spain were added, Charles was constrained to conclude the peace; but he did not discontinue his friendship and connection with France. His intimation of the peace to the French ambassador, was accompanied with an offer of his mediation between France and Holland, a trust which he well knew how to employ to the advantage of the former. He secretly bound himself to consent to no treaty with the confederates, without the participation of France. He informed Lewis of the intelligence he had received from his nephew, and expressed satisfaction upon hearing of the ill success of Holland; because he hoped it would compel her to submit to any terms France should please to dictate. He still permitted the English troops, to the amount of some thousands, to continue in the service of the French king, and furnished him with warlike stores [1]. Charles had reason, however, to apprehend, that these measures could not escape the suspicion of the nation, and the animadversion of parliament; and that the latter, after having succeeded in accomplishing peace with Holland, would pursue their victory, by pressing him to take an active part in the alliance against France. To discontinue the meeting of parliament, which would no longer acquiesce in the neutrality of England, was an object no less important to the interest of Lewis, than it was agreeable to the inclination of Charles. A new money treaty, therefore, was carried on and completed between Lewis and Charles, to enable the latter to subsist during the long suspension of parliament [2].

Enters into a new money treaty with Lewis, Sept. 1674.

[1] Dalrymple, Ap. 108, 109. Secret History of Europe, vol. i. p. 153. Coke, p. 84.

[2] Test. Polit. Colbert, p. 296. By this treaty, Charles agreed either to prorogue his parliament till April 1675, in consideration of 500,000 crowns; or if he convened it in November, to dissolve it, in case it should refuse to give money; for which service he was to receive a pension of 100,000 pounds from France. Dalrymple, Ap. p. 98. 102.

From

CHAP. II.
1677.
who endeavours to obtain a separate peace with Holland.

From the period that Charles withdrew from open hostilities against Holland, now strengthened by alliances with Spain and the Emperor, Lewis employed all the force of artifice and intrigue, to obtain a separate peace with Holland, as the only means of keeping the unjust encroachments he had made in Flanders[3]. The influence of the Louvestein faction, which he had now recovered, a growing jealousy of the power of the Stadtholder, and the inconveniences the commerce of Holland sustained by the continuance of the war, must probably have secured the object Lewis so eagerly desired, had it not been obstructed by the animated and well-conducted opposition of the prince of Orange. By cementing the jarring factions of the States, and withstanding the force of superior arms, he had, in the course of the war, exhibited examples of political sagacity and military skill, beyond his years, and which surpassed the most sanguine expectations of his country[4]. While the applause justly due to his talents and success obtained a decided sway in the councils of the States, a principle of firm and disinterested patriotism made him with disdain reject the alluring baits of profit and ambition, thrown out by Lewis and Charles in order to detach him from the interest of the allies. He was promised a full indemnification for all his claims upon Spain, which would have rendered his private fortune independent and ample: his ambition was assailed by an offer of the sovereignty of the United Provinces, under the joint protection of England and France[5]. Immoveably fixed in the resolution of standing or falling with his country, he spurned at any scheme of private emolument or dignity, fastened to conditions debasing to her honour, and fatal to her liberty and independence. Though he had met with personal injuries from the king of Spain, who evaded and delayed the payment of very considerable sums due to his family[6]; he

Patriotism of the prince of Orange.

[3] Test. Polit. Colbert, d'Avaux Negotiations, vol. i.

[4] Temple, vol. i. Life of William, vol. i.

[5] Ibid, Kennet, vol. iii. p. 311.—Vie de Guillaume.

[6] Letters d'Estrade.

did

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did not relax his vigilance in guarding and defending her interests, interwoven with those of Holland. And though, at one period, the immense military preparations of France, the impression of her intrigues, which began to shake the union of the States, and the unnatural coldness of his uncle, presented to him the desperate situation of his affairs, he maintained the same undaunted magnanimity, and derived hope from the justice of his cause, and the consciousness of that capacity and fortitude with which he was able and determined to adhere to it. When Charles, after representing the inevitable ruin of his country, as the consequence of his obstinacy, in rejecting a peace with France, asked him, what he would do when that should happen; "I am determined," said he, "to die in the last ditch[7]."

The court attentive to the elections.

During the long interval of parliament, by repeated adjournments, in conformity to the king's engagements with France, the court did not neglect to cultivate and extend its parliamentary influence; a certain evidence, that the desperate resolution of discontinuing parliaments was not yet adopted, and that a meeting of that assembly was considered as an event that could not be postponed to a distant period. Whenever any vacancy happened, the influence of the court was in motion, and great success attended its endeavours to procure the election of such members as were well affected to the person of the king, or whose indigence and venality prepared them to become an easy prey to the allurements of corruption[8]. And, when the impatience of the nation, and the exigency of the crown, rendered the delay of a session no longer safe nor convenient, great sums of money were distributed, to retain a majority of the members of the house of commons in this interest[9].

[7] Temple, Kennet.

[8] Reresby, Dalrymple, Ap.

[9] The continued influence of corruption was necessary to retain the services of men, who were unacquainted with any restraint derived from principles of honour or dignity of station. A public table was furnished for them, at the expence of the court, during the session of parliament. It is even asserted, that their clothes, and other necessary expences for their persons, were defrayed from the king's purse. This anecdote, however, is recited by a person whose asperity against the court diminishes the credit due to his authority. Marvel. Burnet, 1675.

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1677. Parliament meets. 15th Feb.

In the beginning of the ſixteenth ſeſſion of this parliament, the influence of the court prevailed. A ſupply of five hundred and eighty thouſand pounds was voted, for the purpoſe of augmenting the navy [10]. No expreſſions of reſentment announced a ſenſe of the indignity which parliament had ſuſtained, by the long interruption of its functions and utility, and by the obſtinacy of the court, in ſtill adhering, though under diſguiſe, to thoſe connections which were ſo odious and alarming to the nation. A queſtion of conſtitutional importance was introduced into the houſe of lords; namely, Whether the parliament was not legally diſſolved by the ſtatute of Edward the third, which enacted, that a parliament ſhould be held, every year, once, and oftner if need be [11]? But the iſſue of this queſtion, and the fate of its abettors, rather tended to augment the authority of the court; to diffuſe a terror of its reſentment; and to depreſs the hopes of oppoſition. The motion was negatived without a diviſion, and the few ſupporters of it, upon refuſing to recant their ſpeeches, and to aſk pardon, were committed to the Tower, there to continue during the king's pleaſure.

This temporary triumph of the court was not, however, ſufficient to extinguiſh the courage of oppoſition, re-animated by the ſtate of foreign affairs, and by the conſternation and anxiety which, more and more on that account, agitated the people. Every new conqueſt atchieved by the arms of France began now to be conſidered as a progreſſive ſtep towards the eſtabliſhment of popery and arbitrary power in England. Alarmed and indignant, the nation could

[10] Journ. Commons, 21ſt February.

[11] Lords' Debates, vol. i. p. 187. The king had prorogued the parliament, from the 22d November 1675, to the 15th February 1677. This was the longeſt prorogation, but not the longeſt interval of parliament, that happened in this reign.

The argument for its diſſolution turned entirely upon the pointing and conſtruction of the words of the ſtatute of Edward. The one party contended, that the ſtatute provided for a parliament once a year, abſolutely and unconditionally: the other inſiſted, that the obligation of the king to aſſemble a parliament, depended upon the condition of the nation; and that *once*, as well as *oftner*, referred to the clauſe, *if need be*.

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no longer ſubmit to a neutrality, in the conteſt carried on between France and the confederate powers. In compliance with theſe ſentiments of the nation, addreſſes of the commons were, repeatedly, preſented to the king, praying him to enter into alliances againſt France, and promiſing to aſſiſt him with ſupplies neceſſary for that end[12]. This ſubject, at laſt, engroſſed the whole attention of parliament, and produced, after ſucceſſive adjournments, through the remainder of this ſeſſion, altercations between the court and the country party, which retarded the diſpatch of public buſineſs, and ſharpened political animoſities. Had the king openly avowed his purpoſe of remaining pacific, he muſt of neceſſity have foregone all hope of the approbation of his ſubjects, and every claim upon the generoſity of their repreſentatives. He profeſſed the moſt cordial inclination to indulge the ſentiments of the nation; but inſiſted upon a liberal ſupply, as a preliminary condition of his entering into the war, and forming engagements with the confederates. The commons, diſtruſtful of his promiſes, recommended to him, firſt, to complete his alliances with the emperor and with Holland; and pledged themſelves to grant ſupplies, liberal and adequate to the expenditure which theſe would occaſion; and, as an earneſt of their future generoſity, they voted a ſmall ſupply[13]. The king complained, that his prerogative was invaded by the dictatorial language of the commons, in preſcribing what meaſures he ought to purſue with reſpect to peace and war; and, in expreſſion of his reſentment, adjourned the parliament, from time to time, till the twenty-eighth of January one thouſand ſix hundred and ſeventy eight.

Addreſſes the king to form alliances againſt France.

Altercation between the king and the commons.

16th April.

This interval is rendered particularly memorable, by an event which deeply affected the ſtate of politics and parties, and produced the moſt important conſequences to the conſtitution and future proſperity of England. When the ferment of the nation had ariſen to

[12] Journ. Commons, March, April, paſſim.

[13] Journ. Commons, March, April, May, paſſim. Grey's Debates, vol. iv.

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1677. Marriage of the prince of Orange to the lady Mary,

the highest pitch, and disquietude and alarm distracted the mind of the king, the prince of Orange arrived in England, to solicit his uncle to accede to the alliances which he had formed, and to pay his addresses to the lady Mary. The anxious expectation of all parties in England awaited the resolutions of Charles. The earl of Danby, true and constant in his friendship to the prince, embraced the favourable circumstances of this juncture, to urge the advantages which would arise from forming a nearer alliance with him, as the most likely expedient to restore the good temper of the nation, and to procure tranquillity to the king [14]. Impressed with the view of these advantages, the king suddenly adopted the resolution of giving his niece in marriage to the prince of Orange; and it is probable, at the same time, that he flattered himself with the view of rendering this connection subservient to his engagements with France [15]. Whatever the intentions of Charles, or his minister, might be, this measure was productive of effects, in the first instance, the reverse of what it seemed naturally calculated to produce. Although this connection gave general satisfaction to the people of England, yet, by the refined intrigues and negociations of France, it was really made the instrument of diverting, for a time,

4th Nov.

[14] Danby's Memoirs.

[15] There are the following reasons for believing, that Charles did not mean to hurt the interests of France by consenting to this marriage. After the adjournment of parliament, he was eager as ever to persuade his nephew to consent to a separate peace with France. He solicited, and obtained, an augmentation of his own pension from that kingdom. He might naturally expect to make his nephew more dependent in consequence of this marriage, and obtain, from his sense of interest and gratitude, what he could not bring him to consent to by importunity, threats, or promises. He first endeavoured to make conditions with the prince; but, finding him untractable, trusted to the operation of these motives. Temple, vol. i. Dalrymple's Appendix, p. 128.

Whatever the views of Charles were, it is certain, that Lewis expressed surprise and indignation when he received the news of the prince of Orange's marriage, and intimated his displeasure against Charles, by withholding the pension he had promised. Charles, offended at the unexpected anger and neglect of Lewis, recalled his proclamation for the adjournment of his parliament till April 4, 1678, according to his stipulation by the secret treaty, and summoned it to meet 28th January 1678; and, in order to regain its confidence, he entered into a league, offensive and defensive, with the States of Holland, 16th January 1678. Ibid.

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made the occafion of exciting jealoufies in England

the odium of the Englifh nation from herfelf, and of inflaming a jealoufy of the conduct of the king, by fubftituting an object of near and more affecting danger. The daring ambition and extended dominion of France, galling to the people of England, on account of the hereditary rivalfhip and animofity which fubfifted between the two nations, became ftill more grievous and alarming, when confidered as preparing the way for the introduction of arbitrary government, and the eftablifhment of the Roman catholic religion. The obftinacy of the king, in cultivating and retaining his alliance with France, fo repugnant to the fentiments of his people, and the remonftrances of his parliament, laid a juft foundation for thofe fufpicions, which have been amply confirmed by vouchers lately brought to light. It was almoft unavoidable to conclude, that he derived immediate fupplies from the liberality of France, and that he had ground to expect the aid, both of money and of arms, to eftablifh the independence of the crown, and to confirm its ufurpations upon the privileges of his fubjects. The accepting of money from France, was more difhonourable to the character of the prince, than it was hurtful to the intereft of the nation; but his plan of independence upon parliament, involved the deftruction of all that was facred and dear; and roufed the keen indignation and unremitted vigilance of every patriot. From whatever quarter it proceeded, or by whomfoever abetted, arbitrary government was equally the object of abhorrence. Every prejudice was to be facrificed, every animofity fufpended, every aid embraced, in order to prevent the growth of arbitrary power—the confummation of national mifery. From principles fo plaufible, and arguments fo popular, the ingenuity of French agents could be at no lofs to extract materials well fitted to work upon the paffions of the Englifh nation, and to foften, or turn into a new channel, that jealoufy, which threatened to obftruct the career of their victories upon the continent. The marriage of the prince of Orange, it was now infinuated, muft utterly cut off all hope, from

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the patriotic party, of deriving protection or support from his talents, in defence of their violated laws and tottering constitution. Gratitude for the honour he had received, and dependence on future favours, would unavoidably bend him into a compliance with the desires of his uncle and father-in-law, while his reversionary expectations upon the throne of England would captivate his ambition, and dispose him to connive at every effort calculated to extend that power, which might, one day, descend into his own hands [16]. The same engine of policy was employed to undermine the confidence which the prince hitherto enjoyed in the States of Holland, and to weaken his influence in the direction of their counsels. What had they to expect, but that the influence of Charles and James, of whose ill-will they had so many proofs, would be exerted to give every aid to advance the power and prerogatives of their relation, at the expence of the immunities and privileges of the States? A recent event was improved to give colour to these insinuations and suspicions. The State of Guelderland had made a tender of the sovereignty of their province to the prince of Orange, which, it appeared, his prudence, rather than his moderation, had induced him to decline. He did not instantly reject this offer; he sounded the sentiments of the rest of the provinces; he found them against the measure; and had, therefore, waved the acceptance of a dignity, which, without their concurrence, must have been extremely mutilated and precarious [17].

and in Holland.

The effects of these intrigues of France, and the strain of argument with which they were artfully glossed, were now manifest, both in Holland and in England. In the former, the dread of distant danger, from the ambition of France, yielded to the domestic jealousy of the talents and aspiring temper of the prince of Orange. His interest began to sink apace; that of the Louvestein faction to ascend; and the project of a separate peace with France, without

[16] Dalrymple, Ap. p. 128. 142. [17] Neuvile, T. 4. Life of William.

regard

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regard to the confederates, was every day gaining proſelytes[15]. In England, the views of France, though in a clandeſtine manner, were no leſs effectually promoted. Perſons of high rank and reputation began to hold intercourſe with the French agents, and to concert meaſures for preventing the war, which they, and the party in oppoſition, with whom they were connected, had hitherto urged with fervour and importunity. The danger of arbitrary power, imminent and formidable, abſorbed every other paſſion, and ſanctified, in their eyes, every mean or expedient by which it could be averted. That the aſſiſtance of France might be ſucceſsfully employed to this purpoſe, was an opinion, not weakly or corruptly adopted in conſequence of the ſedulous application and ſpecious ſophiſtry of her agents, or the influence of her money profuſely diſperſed among the members of parliament, but founded upon the conviction of a real, though very unexpected and extraordinary coalition of intereſts and deſigns. To prevent the increaſe of the military power of England, was an object of ſuch magnitude in the eyes of Lewis and the Engliſh patriots, that all their private animoſities vaniſhed before it. The latter were afraid, that a ſtanding army, if once eſtabliſhed in England, would be employed to overturn their liberties, and to fix the roots of exorbitant prerogative. The French king was afraid, that the current of national opinion would overpower the private inclinations of Charles, and finally direct the operations of that army, in conjunction with the confederates, to reduce his conqueſts in Flanders. The diſſolution of the parliament of England was an object of equal ſolicitude to Lewis and to the Engliſh patriots. To the former it was obnoxious, becauſe it had ſet itſelf in determined oppoſition to his projects; and, not ſatisfied with having torn their monarch from his intereſt, they now wanted to compel him to take an active part in overturning that power, which he had formerly laboured to enlarge. By the

The agents of Lewis, and the leaders of oppoſition, unite in the ſame views

of diſbanding the army,

and of diſſolving the parliament.

[15] Neuvile. Life of William.

patriots

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patriots the diffolution of parliament was eagerly purfued; becaufe, though their influence had increafed in the late feffion, yet there ftill remained in the houfe of commons fuch a ftock of their original loyalty, as rendered it difficult to fix a majority of members in oppofition to the intereft of the court. An hatred to lord Danby, which, for reafons already mentioned, actuated both Lewis and the leading members of oppofition, alfo formed an illiberal, but neverthelefs a powerful, bond of union between them; and employed their combined efforts to accomplifh his difgrace, by whatever means it could be obtained [19].

But though thefe motives of union between France and the patriotic party were manifeft and forcible, yet the latter were extremely diffident about the friendfhip of the former; and the advantages they expected from it, were partial and reftricted. They were well pleafed to find that France was jealous of the conduct of Charles; and that fhe was perfuaded, that it was not her intereft that he fhould become mafter of the liberties of his people. They therefore confented to act in concert with her, for the obftruction of that event: But it was only in an indirect and concealed manner, and in a limited degree, that the leaders of the popular party could undertake to concur with the views of France. To have coincided openly or avowedly with her fchemes, or even to have ufed expreffions of amity and peace in any one inftance whatever where her interefts were at ftake, would have been fuch an offence to the ftrongeft prejudices of the nation, and fuch a glaring contradiction to their own avowed fentiments, as muft utterly have extinguifhed their credit for integrity and patriotifm. Nay, they durft not even engage directly, to oppofe the granting of money to the king, for defraying the expences of a war with France, left they fhould incur the charge of inconfiftency, or the more infamous reproach of favouring her interefts. They propofed therefore to clog the fupplies with claufes injurious to the

Union between Lewis and the popular party unnatural and conftrained.

[19] Dalrymple, Ap. p. 129. Memoire de Barillon, p. 131.

preroga-

prerogative; to annex disagreeable conditions to them; to do every thing to give the court vexation; which they represented to the French agents, as the most effectual method of throwing the king again into the arms of Lewis [20]. So sensible were the leaders of the country party of the odium of encountering, and the impossibility of overcoming, the national antipathy to France, that they proposed to cover their designs of serving her, with every external appearance of hostility; and even to join in importuning the king to the declaration of war against her [21]. Nor does it appear that the French agents formed very high expectations from the engagements of the leaders of the popular faction: on the contrary, they expressed themselves with great diffidence and uncertainty when they mentioned this connection, and represented it as unexpected and mysterious: nor was it long before they changed their political system, and entered again into a treaty with Charles, as constituting a basis of concord, more natural, and more likely to endure and to answer their expectations, than the casual, transient, and constrained friendship of her political enemies.

[20] Dalrymple, Ap. p. 129. Memoire de Barillon, p. 131.

[21] Barillon writes to Lewis, 11th April 1678, that in order to prevent great supplies of men and money being sent from England into Flanders in support of the confederates, the leaders of the popular party had represented, that it would be necessary to press king Charles to declare war against France, before the parliament granted the supplies; and they proposed that the French king should insist upon having an answer from Charles, whether he actually intended to declare war against him or not. They endeavoured to persuade the French ambassador, that this could have no pernicious effect with regard to the interest of France, nor be the occasion of Charles entering into war with her, unless he was already resolved to do it. Dal. Ap. p. 136.

From this information it appears, that the popular leaders still entertained some suspicion that Lewis and Charles acted in concert. By this demand they put the sincerity of the former, in courting a connection with them, to the test. They wanted not only to be satisfied themselves that Lewis was sincere; but they required such evidence of this as might satisfy their friends, when they came to discover to them this mysterious union. The great object of the popular leaders, was to prevent supplies from being given to an army, which, upon whatever pretext it had been raised, might one day be employed to change the form of government, and annihilate the existence of parliament. They knew well, that Charles was extremely reluctant to enter into a war with France; and that he would embrace every pretext to delay or evade it. The withholding of the supplies would afford him that pretext: and for this they engaged. Thus far they acted in concert with France; but in perfect consistency with their own views of the interest of England.

CHAP. II. 1677-8.

enemies[22]. As this deſcription of the motives and ſentiments of the French agents, is founded upon the memorials and letters which refer to their correſpondence; ſo it is perfectly agreeable to the meaſures of parliament, coincident with the period of their coreſpondence, and purſued at the inſtigation of the popular party. It is indeed curious to obſerve, how much the memorials and other vouchers of this correſpondence between the French agents and the popular leaders, and the engagements entered into by the latter, contribute to develope the cauſes of political events, which formerly appeared dark and inſcrutable; to reconcile meaſures ſeemingly inconſiſtent, and to reſtore unity of deſign and ſteadineſs of principle to characters, which, upon imperfect information, wear the reſemblance of verſatility and corruption.

Parliament meets, 28th January 1678.

After many adjournments, the ſixteenth ſeſſion of this parliament was continued for the diſpatch of buſineſs. The alliance with the States, the forwardneſs of naval preparations, and the marriage of his niece to the prince of Orange, furniſhed his majeſty with popular ſubjects for addreſſing his parliament, and plauſible arguments for

31ſt January.

ſoliciting ſupply. Though the commons preſented an addreſs of thanks to the king, for having married his niece to the prince of Orange, yet they omitted to mention his alliance with the States,

4th May.

thereby reſerving it for future cenſure, as inadequate for reſtraining

[22] By this treaty, (27th May 1678,) Charles engages to remain in perfect neutrality, in caſe propoſals for peace offered at Nimeguen, ſhould not be accepted before two months expired; and to recal the troops he had ſent into Flanders. By a ſeparate article, the French king becomes bound, to pay Charles ſix millions of livres tournois, upon the expreſs condition, that the king of England ſhould not only recal his troops from Flanders, but that thoſe troops ſhould be diſbanded, as ſoon as they ſhould arrive in his dominions; and alſo, that he ſhould prorogue his parliament for four months at leaſt, to be computed from the expiration of two months, within which time propoſals for peace were to be accepted. Dal. Ap. p. 162, 163, 164.

This laſt condition ſhows us the limitations and reſerve, with which the leaders of oppoſition had entered into engagements with France: and how little of her confidence they had acquired, ſince ſhe eſteemed the ſuſpenſion of parliament, a better ſecurity for her intereſt, than their influence and engagements. A few months after this, Charles projected another treaty with France, by which he was to aſſiſt the Swedes with a fleet, to recover the places taken by the duke of Brandenburgh. Ibid. 178.

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the power of France, and securing the protestant religion. They voted a supply of one million, for enabling his majesty to enter into actual war against the French king; but, in every subsequent debate relative to the means of raising it, discovered the utmost jealousy of the king's sincerity, and at last came to the resolution, not to trust him with money, till satisfaction was given in matters of religion [21]. They entered into the state of the nation; revived the apprehensions of the danger of popery; and drew up reasons to be urged to the lords, in a conference, for persuading them to co-operate in seeking some effectual remedy against this growing evil. They addressed the king a second time, complaining of the pernicious effects of his delay in not answering their former address; and praying him to remove evil counsellors. His majesty complained of this address to the lords, and, offended with the disrespectful behaviour of the commons, prorogued the parliament.

18th & 23d Feb. Express distrust of the king. 29th April.

7th May.

Prorogued 13th May.

Embarrassment of the king.

Nothing could be more embarrassing than the situation in which the king now found himself involved, by that distrust and jealousy which his former attachment to France, and his undecided conduct, had excited. To whatever quarter he turned his eyes, difficulties started before him, and upon whatever resolution he fixed, he must lay his account with censure and reproach. He had augmented his navy and army: he had sent the duke of Monmouth with a body of troops into the Netherlands; and made every preparation, as far as the supplies granted would extend, to enter into war with France. Should he now discontinue warlike preparations, it would be admitted as an unquestionable evidence of his dissimulation, and of his inflexible adherence to Lewis. While, on the other hand, the continuance of his preparations, and the augmentation of his forces, kept alive the jealousy of a great part of the nation; and, by bringing an additional incumbrance upon his revenue, increased his dependence upon parliament. The pressure of this di-

[21] Grey's Debates, vol. v. p. 282.

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Seſſion of parliament.

lemma he attempted to transfer to parliament, which, after a prorogation of ten days, met for the ſeventeenth ſeſſion. The king declared his reſolution to ſave Flanders, either by peace or war, as circumſtances ſhould direct: That, in either view, it was neceſſary to keep up a ſtrong force by ſea and land; but, as that depended upon the ſupplies, he left it to their choice, to provide for the maintaining, or the diſbanding, of the army.

Ill-humour of the commons.

The commons not only ſhifted the difficulty from themſelves, but, with great addreſs, retorted it upon the king; by reſolving, that, if he entered into a war with France, they would ſupport and aſſiſt him; but that, if he declined to do it, they would then provide for the ſpeedy diſbanding of the army[24]. As if ſincerely deſirous to return to a good underſtanding with the commons, the king imparted the ſtate of his negociations with ſuch an air of candour, as ſeemed calculated to remove all diſtruſt of his ſincerity and deſigns. He informed them, that there was a near proſpect of peace with France, but that he did not think it prudent to diſmiſs either the fleet or army, before it was concluded. The only return which the commons made to this meſſage, was a vote, that all the forces raiſed from the twenty-ninth of September one thouſand ſix hundred and ſeventy-ſeven, ſhould be forthwith paid off and diſbanded; and that the ſum of two hundred thouſand pounds ſhould be raiſed by monthly aſſeſſments for that purpoſe. They voted a ſupply of four hundred thouſand pounds for extraordinary charges of the navy and ordnance; for paying the princeſs of Orange's portion; and for the repayment of two hundred thouſand pounds, borrowed upon the credit of additional exciſe; but they precluded all hope of farther aid, and anſwered his majeſty's urgent and repeated importunities, by a reſolution that the people ſhould be charged with no more money during that ſeſſion of parliament.

28th May.

6th & 20th June.

21ſt June.

[24] Journ. Commons, 25th and 27th May.

The

CHAP. II. 1678. Apology for them.

The meaſures now recited, urged by oppoſition, and adopted by the commons, in the three preceding ſeſſions of parliament, convey no favourable idea of their principles and temper; and were we to judge between the court and them, merely, from thoſe evidences which are comprehended within the circle of parliamentary proceedings, though we might not acquit the former of the charge of duplicity, yet a conſiderable portion of cenſure would certainly be aſſigned to the latter. A ſpirit of faction appeared, in wrangling and debating about every queſtion, however trifling, wherein diſreſpect could be ſhown to their ſovereign, or diſapprobation of his meaſures expreſſed. When we take into account preceding and concurring circumſtances, the inflexibility of the king in the proſecution of meaſures, no leſs pernicious to the intereſts, than contrary to the inclinations, of his people: When we conſider the diſtruſt of his parliament, at the period of their fervent loyalty; the frequent and long diſcontinuance of their counſels; and above all, when we diſcover, that even, while holding out the faireſt language, and affecting an anxiety to gratify the wiſhes of his people, he was privately occupied in renewing his alliance with France, and devoting himſelf to her intereſts; every expreſſion of diſtruſt, or diſreſpect, upon the part of the commons, every ſcheme of bridling his power and thwarting his will, appear no more than merited reſentment, and a neceſſary defence againſt the enormous treachery of his conduct.

France evades the conditions ſhe had agreed to for a peace.

Emboldened by the ſecret aſſurance of the neutrality of England, the French agents contrived refined diſtinctions, to evade the conditions which they had already admitted as the baſis of a general peace. They had promiſed to deliver up the frontier towns which had been taken in Flanders, belonging to the crown of Spain; but, having ſpecified no time for the fulfilling of this, they now avowed their intentions of retaining theſe towns, till ſatisfaction ſhould be made to their ally, the king of Sweden, for the territory he had loſt

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during the war[25]. The indignation raised by this event was so high and general, that, in order to maintain the shadow of sincerity, Charles was under the necessity of assuming a menacing tone; and of putting himself into an hostile posture. He sent sir William Temple into Holland, to make a new treaty with the States. His ambassador accomplished his business with dispatch and success, suitable to the alacrity and ardour with which he entered upon it. He concluded an alliance, offensive and defensive, with the States; by which the king of England became engaged to make war with France, if she did not deliver up the towns in question before the expiration of two months[26]. It does not appear, however, to have been the serious intention of Charles to proceed to a war when that period should arrive, as is evident, from his anxiety to avert the crisis of putting his fidelity and honour to the test. Within a few days of the expiration of the period allowed the French king for complying with his demand, a messenger was dispatched to sir William Temple, commanding him to use entreaties with the Swedish ambassador, to consent to the evacuation of the towns in Flanders; and promising, after the peace, to use effectual measures for recovering certain towns, which the king of Sweden had lost in Germany[27]. The well-known character of De Cros, the messenger dispatched upon this business from England, who was an agent for Sweden, and a tool of the French ambassador Barillon, his officiousness in publishing his errand wherever he passed, and insinuating that this measure had been taken in concert with France, entirely overset the hopes raised in the States by sir William Temple's embassy, and constrained them to hasten a separate peace with France, the very snare in which Lewis had prepared to entangle them. Though Charles had every reason to expect this event, and certainly wished to bring it about, he counterfeited the utmost

Sir William Temple sent to enter into an alliance with the States,

which is overturned by the wavering of Charles.

The States make peace with France.

[25] Temple, vol. i. p. 365. [26] Ibid. [27] Ibid.

surprise

furprife and indignation; immediately difpatched Mr. Hyde, to perfuade the States to refufe the ratification of the treaty figned by their ambaffador; and to affure them of his entering into the war with heart and vigour.

Obfervations upon the conduct of Charles.

The whole conduct of Charles with refpect to the peace of Nimiguen, appears fo wavering, capricious, and weak, that it is no wonder if we are at a lofs to account for the true motives from which it proceeded; or to determine, how far, and at what time, he was fincere, and really meant what he fpoke and declared. There can be no doubt, but that the prevailing bent of Charles's affection inclined him to favour the intereft of France, and the depravity of his political fyftem made him believe, that a connection with her was moft propitious to his independence and power. This object, therefore, he ever kept in view, and purfued, through the greateft part of his reign, with more conftancy and diligence than he difcovered on any other occafion. Timidity was a ftrong ingredient in the temper of Charles, and prevented him from performing fome of thofe engagements to which he had bound himfelf by his alliance with France: he was dilatory and evafive, about declaring himfelf a Roman catholic, one of the conditions of his firft fecret treaty: he yielded to the impatience of the nation, by the calling of meetings of parliament, upon different occafions, after he had engaged to fufpend them: he difappointed France, by fuddenly making peace with Holland, after the fecond Dutch war: he ftill more grievoufly offended her, by giving his niece in marriage to the prince of Orange. If ever Charles failed in his engagements to France, it did not arife from want of attachment, but from fear, and the love of eafe, which occafionally predominated, and defeated the impulfe of his ftrongeft prejudices. The experience the French king had of Charles's fluctuating conduct, excited a diftruft of his fidelity in fulfilling the conditions of the later treaties into which they entered. As the gratification

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of ambition was the sole object of all the political measures of Lewis, he did not scruple at the means subservient to this end, whatever they were; and therefore, occasionally, tampered with the party in opposition in England; a species of conduct, which expressed contempt and ingratitude towards Charles. The insidious construction which the French agents put upon the marriage of the lady Mary, as if it had been intended as the instrument of arbitrary power in England, and the close correspondence they held at that time with the party in opposition, may well be supposed to have excited a transient indignation in the breast of Charles. But there was nothing that seemed more to have rankled in his mind, than a peremptory and insolent requisition of the French king, that the army of England should not exceed eight thousand men. In whatever light he considered this demand, it was mortifying to him. How ungrateful in Lewis, to call in question the sincerity of that attachment, which he had maintained so long, and to which he had sacrificed so much? How humiliating, to insinuate that his power was so low, that he could not be the master of his own army? It is not surprising, that, under these impressions, Charles expressed indignation, which had every appearance of sincere enmity, and determined resentment against France. Sir William Temple acknowledges, that he himself was deceived by appearances; and certainly expected, that his master was to stand to the consequences of the instructions, with which he was charged in his second embassy to the States[28]. In the mediation of peace, Charles was certainly sincere. The embarrassments of his revenue, altercations with his parliament, the failure of every expectation of raising his power by the aid of the French king, who had humbled him by the proposal of reducing his army, rendered him sincerely desirous that a general peace should take place. So far as threats could contribute

[28] Temple's Memoirs, vol. iv. p. 366.

to

to that end, he was willing to go: but, certainly he did not mean to advance farther, or really to enter into a war[29].

In the last session of this parliament, we behold opposition successful and triumphant, not only in over-ruling public measures against the influence and wishes of the court, but in gratifying private pique and resentment; and overturning the power of the minister, against whom they had, in vain, directed their most violent attacks in the preceding sessions.

Lord Danby impeached.

The gratification of party resentment, in the ruin of lord Danby, was accomplished by base artifice, and furnishes an objection to the integrity and honour, rather than any evidence of the weakness and credulity, of those who conducted it. It has been already observed, that lord Danby was, in heart and principle, a violent adversary to the interest of France, and that he opposed the king's propensity to French alliances, as far as was compatible with his remaining in office. Fully sensible of this, the French king, in his turn, hated that minister; and instructed his agents in England to use every effort, in concert with the popular party, to bring about his disgrace. Montague, the English ambassador at Paris, who received the instructions which Danby reluctantly communicated, concern-

[29] It was generally believed, that the message of De Cros was contrived in concert with the French ambassador, and that the effect of it was just what was intended and desired. It contradicted the instructions of sir William Temple, overthrew his authority, drove the States into despair, and made them rush, with imprudent celerity, into a separate peace. Dalrymple, Ap. p. 180. Reresby, p. 66.

The indignation expressed by Charles upon the news of this peace, and the vehemence with which he intreated the States to evade the confirmation of it, seemed to furnish an argument in refutation of what is above asserted, and in support of the opinion that Charles was sincere in the resolution of entering into a war with France. He was at that time, if ever in his life, sincere, and meant what he declared; but let it be observed, that an event, posterior to the date of sir William Temple's embassy and the dispatch of De Cros, inspired that sincerity. The rumour of a popish plot had gone abroad; it gained easy belief, and spread universal horror. Though the king did not believe the plot, he was no less alarmed with the prospect of the internal combustion that the popular belief of it was likely to produce. To avert this, he embraced the earliest opportunity which the state of political affairs suggested, of engaging the passions of the people, and of transferring to a foreign object that enthusiasm and phrenzy, which he foresaw that nothing but blood and destruction could appease.

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ing the favourable inclinations of his master towards France, entered, with cordiality, into the interests of the French court, devoted himself to her service, and became her pensioner[30]. Finding that lord Danby, who, probably, esteemed him the less upon that account, was unwilling to second his views of preferment in England, he fomented the prejudices of the French king against that nobleman. He came over to England without the permission of the court, and, in prosecution of his resentment and engagements, entered into a close connection with the popular party, and disclosed to them the secret of Danby's correspondence with France. Two letters, which lord Danby had written to Montague upon the subject of the French alliance, were produced in the house of commons. The odium of the crime alleged, and its coincidence with the detection of the popish plot, excited the indignation of many who were untainted with the prejudices of party, superseded evidence, and prevented that fair distribution of guilt, which must have resulted from a calm and accurate investigation of facts. It was not admitted, as any extenuation of Danby's crime, that the letters carried marks of his disapprobation; for the king's subscription was annexed to them, importing that they were written by his order and authority. The evidences of the voluntary and more aggravated guilt of Montague, as if he had made atonement for it by treachery, were not allowed to be brought forward. Matter of impeachment was voted against the minister; articles were founded upon it, and carried up to the house of lords[31].

The fate of lord Danby stands upon record as a warning to ministers, to resign their power and responsibility the moment they are called upon, to act against their own conviction, and to aid and abet those measures, which their judgment and heart condemn. The true source of his disgrace was not his services, but his opposition to

[30] Dalrymple, Ap. p. 192. Reresby, p. 77.

[31] Journ. Commons, 19th, 21st, 23d December.

France;

France; but this misfortune, however unmerited and capricious, he never could have incurred, if he had resigned his power upon the call of principle, and been content to tread in the humble path of privacy and retirement.

Dissolution

The last measure, pursued by the advice of lord Danby, was the dissolution of parliament. He had every thing to dread from its violence. The dissolution of parliament, an object long and vehemently desired by the popular leaders, was purchased by them with a promise to sacrifice their private resentment, and to drop all further prosecution of the minister, provided he retired from office and from power[32]. The king himself began to tremble at the apprehension of those discoveries, which a keen investigation of the evidence against his minister must necessarily bring to light; and, lest the dissolution of parliament should not be sufficient to prevent it, he privately granted him a pardon, in bar of a future impeachment[33]. The second parliament of Charles, which had now completed its eighteenth session, was prorogued to the thirtieth of December one thousand six hundred and seventy-eight, and dissolved the twenty-fourth of January one thousand six hundred and seventy-nine.

and character of the second parliament of Charles.

In reviewing the history of this parliament, we are naturally struck with the singular contrast of sentiments and temper, which characterise its commencement and conclusion. Though the lapse of time, and the succession of members, may, in some measure, account for alterations in their political sentiments, yet these could neither have been so remarkable, nor productive of such violent effects, without the concurrence of various events, which fill up the intermediate period. As the house of commons was elected during the heat and transport of national loyalty, their first steps indicate, not only a careless neglect of the most favourable opportunity for securing the privileges of their constituents, but a criminal propensity to indulge the extension of prerogative, and to flatter the prejudices of the sovereign.

[32] Burnet, 1678. [33] Ibid. Echard, vol. iii.

However much we may condemn the principle from which they acted, yet we must acknowledge it to have been fortunate for the nation, that the zeal of this parliament for the established church, interfered with their enthusiasm for loyalty, and controled the vehemence and excess of one predominant and unrivalled passion[34]. It was peculiarly fortunate, that the king pushed his first inroads upon the constitution, in that region which they guarded with the most vigilant anxiety, and in which they caught the alarm with the most acute sensibility. Indifferent with regard to the usurpations of prerogative, which affected only the civil rights of their constituents,

[34] The spirit of this parliament, and their zeal for the church of England, are best seen in the several acts which they had passed against the dissenters. In the first session of the second parliament, the act was repealed which excluded the bishops from sitting in parliament.

By a clause in the corporation act the solemn league and covenant was abjured, and all who did not conform to the church of England, rendered incapable of being members of corporations.

By the act of uniformity, all who did not conform to the liturgy, and government of the church of England, were deprived of their livings. This act met with great opposition in the house of lords, where many seemed inclined to shew some indulgence to tender consciences; but, in the house of commons, its progress was smooth and expeditious.

By the five mile act, no non-conformist teacher was allowed to dwell, or come within five miles of any corporation; unless he took the corporation oath, with the additional clause, that he would not endeavour to bring about any alteration in the government of church or state. The offender against this act was subjected to the penalty of forty pounds, and six months imprisonment.

By the conventicle act it was ordained, that every person, above sixteen years of age, who should be present at any assembly or conventicle, under the pretext of religious worship, in any other manner than according to the liturgy and practice of the church of England, where five persons were assembled besides the family, should pay five shillings for the first offence, and ten for the second. Every person taking upon him to teach in such conventicles, forfeited twenty pounds for the first offence, and forty for the second. Every person suffering such conventicle in his house, was subjected to a penalty of twenty pounds. For the better execution of this act, justices and constables were empowered to break open doors upon admission being refused. Lieutenants, officers of the militia, &c. on producing the certificate of any justice of peace, were warranted to disperse the said conventicles. A clause was added, that it was to be construed largely and beneficially for the suppression of conventicles.

Besides these evidences of the spirit of this parliament, various addresses were presented to the king, praying him to execute the laws against the dissenters. He was thanked for recalling his indulgences. Special marks of the gratitude of the commons attended every compliance of his majesty against the dissenters. The act of uniformity coincided with the gift of hearth-money; a liberal grant of four subsidies followed his majesty's revocation of his first indulgence. The improvement of the tax of hearth-money, and the repeal of the triennial act, were the rewards of the royal consent to the severe act against conventicles.

they were rouſed, by the king's declaration of indulgence to the diſſenters, to aſſume the language of the conſtitution, and to exerciſe that influence in the ſcale of government, which they were about to ſacrifice at the ſhrine of monarchy. When the cauſe of offence was removed, the ardour of their firſt affection returned.

Reſtrained by the counſels of a prudent adminiſtration, the king did not avail himſelf of the obſequious temper of his parliament to promote that independence and power, which he afterwards attempted to eſtabliſh, by the aid of the moſt unpopular of all foreign connections. Inſtead of that reſpect and confidence which the commons expected, in return for their diſtinguiſhed affection and liberality to the prince, it was evident, that he admitted of their interference and advice, no farther than he found them convenient for the ſupply of his wants, and the diſcharge of neceſſary buſineſs. Their affection and honour were wounded, when they ſuſpected that their ſovereign, ſo much cheriſhed and beloved at home, ſhould chuſe to proſtitute himſelf, by accepting the hire, and eſpouſing the intereſts, of the natural enemies of England, rather than to rely upon the bounty of a body of his ſubjects, who had nothing ſo much at heart as the advancement of his honour, and the ſafety of his government. Under theſe impreſſions, they began to liſten to the voice and admonitions of their conſtituents, and for the diſappointment they ſuſtained, in not meeting with truſt and gratitude from their royal maſter, they ſought compenſation from the applauſe due to uprightneſs and fidelity in the diſcharge of their duty. But though they began to animadvert upon the profuſion of the court, and the abuſes of the revenue, and to ſuggeſt plans of future œconomy, they ſtill retained a high reſpect for the perſon of the ſovereign, and manifeſted an earneſt deſire to acquire his confidence.

A full conviction of the king's incorrigible attachment to France, reiterated attacks upon the act of uniformity, his pro-

claimed defiance of the resistance of the commons, by soliciting the support of the lords to maintain his second indulgence, and a well-founded dread of popery, not only weaned the commons from the idol of loyalty, but engendered distrust and jealousies, which no future concessions, on the part of the king, could extirpate.

In proportion as the members of both houses approached nearer to the dissenters, in their sentiments concerning civil government, their zeal for the peculiar tenets of their church began to abate; and they invited the dissenters to a participation in their counsels and exertions, in order to prevent the common, impending danger of popery.

There were few republicans in this parliament, and they had been hitherto so overborn by the torrent of loyalty, that their influence was scarcely perceptible. Encouraged by the change of the national sentiments, and the falling credit of the king, they raised their heads, and infused a spirit of intrepidity and poignancy into the measures of opposition, which gave great alarm to the court.

There never was any period, in which the principles of pure and disinterested patriotism more indispensibly exacted, from all who felt their influence, a determined opposition to the court, than that of the seven last sessions of the second parliament of Charles. It was however at this period, that corruption entered, and spread with the most rapid and pestilential violence. The king found his parliament pure; but false measures of policy required profligate arts to support them. A mercenary spirit was roused by success and expectation. If some were allured by gain to desert their party; others expected to be rewarded, for being true to those principles which they originally maintained. A great number of persons of the meanest rank, and of the most corrupt principles, were introduced into

into this parliament, by the influence of the court, and for the purpose of ſupporting its baſeſt deſigns"[35].

By theſe ſiniſter means, an oppoſition founded upon patriotiſm, and vigorous at its birth, was debaſed, enervated, and finally diſappointed of obtaining its laudable ends; a diſſolution of the alliance with France, and ſuch ſalutary limitations of prerogative, as were neceſſary to ſecure the liberty and the religion of England. The agents of the confederates ſupported this party; and by an appeal to the ſentiments of the nation, and, perhaps, in ſome degree, by the uſe of thoſe illicit weapons employed againſt them, aſſiſted oppoſition to keep the field; and, if not to vanquiſh, yet to haraſs prerogative, and to prevent its eſtabliſhed triumph.

The plan of foreign policy, moſt friendly to the intereſt of the confederates, and moſt agreeable to the wiſhes of the people of England, had nearly prevailed againſt the influence of the court, when new objects of alarm aroſe, and gave an unexpected turn to the ſentiments and exertions of the popular leaders. A large army was raiſed by the king, under the pretext of entering into a war in ſupport of the allies. Diſtruſtful of his intentions, aſſured of his love of arbitrary power, and ſtrong bias to France, perſons of greater diſcernment, who were friends to the conſtitution, conſidered the danger to which it was expoſed from a ſtanding army, as more near and formidable than that which aroſe from the ſucceſsful ambition of Lewis in diſtant countries. Though France was conſcious of having a ſtrong hold upon the affections of Charles, yet ſhe had formerly experienced that his timidity had ſometimes obſtructed their exertions. She was diſturbed by the intimate connexion which Charles had formed with the prince of Orange, at the head of the States;

[35] "In the places of members of parliament who died, great pains were taken to have ſome of the king's menial ſervants choſen; ſo that there was a very great number of men in all ſtations in the court, as well below ſtairs as above, who were members of the houſe of commons." Life of Clarendon, vol. i. p. 495.

and

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and if ſhe had been ſecure of his affections, ſhe had reaſon to fear that he would not be able to withſtand the current of national opinion and antipathy; or to reſtrain the operations of an army, which had been raiſed for the avowed purpoſe of reducing her conqueſts, and controling her ambition. Thus, by a ſtrange contingency in events, France and the Engliſh patriots were united by the ſame fears and intereſts. The ſagacity of the French agents did not fail to diſcern this, and their expertneſs in intrigue enabled them to improve it to the beſt advantage. By working upon the jealouſies of the patriotic party, by palliating thoſe circumſtances which were moſt odious in the conduct of France; and by that corrupt expedient, which they had found ſo effectual with the court, they enticed many of the popular party into their confidence, and to act in concert with them, for the mutual intereſt of both kingdoms. By withholding the ſupplies for the maintenance of an army, raiſed in compliance with their own urgent entreaties, the members of oppoſition concurred with the views of France, and appeared to act an inconſiſtent and contentious part; but, in reality, they did not loſe ſight of their grand object, the independence and liberty of their country. This object they avowedly and directly purſued, by labouring to detach their king from his connexion with France; but, having obtained this, they heſitated about making farther advances: They were afraid to truſt Charles with a ſtanding army, and thought that the chance of reducing the power of France, was not to be tried at the riſk of enſlaving their country.

It cannot be denied, that the merit of the country party was tarniſhed by unworthy motives, by which they were occaſionally actuated, and the unwarrantable means they employed to attain the ends they had in view. They indulged private reſentments, even to the obſtruction of the important buſineſs of the nation. The proſecution of perſons ſuſpected of being concerned in the Roman catholic plot, was a meaſure too violent and ſanguinary to be juſtified

by

by any end it could promote. But, after the confideration of every circumftance, it is fair to acknowledge, that the principle of oppofition in the latter feffions of this parliament was found and commendable: the general tenor of their meafures was conftitutional; the fide of oppofition was the fide of patriotifm and virtue, and to them pofterity ftands indebted for arrefting the career of arbitrary meafures, and roufing that fpirit of jealoufy, which, after many ftruggles and many defeats, faved the liberties of England.

## CHAP. III.

*Charles wishes to renew his Alliance with France.—Takes Measures to regain the Confidence of the Nation.—Elections.—Misunderstanding between the King and the Commons about the Choice of a Speaker.—Popish Plot.—Measures taken in consequence of the Plot—by the Commons—by the Lords.—Effects of them.—Observations on the Evidence of the Popish Plot.—Prosecution of Lord Danby—Disputes between the two Houses on this Subject.—The King alarmed by the Proceedings of the Commons.—A new Council.—The Commons proceed in the Impeachment of the Earl of Danby.—Bill of Exclusion.—Inquiries concerning the Management of the Navy and the Revenue.—Bills to retrench the Influence of the Court.—Parliament dissolved.—Charles attempts to enter into a new Treaty with the French King.—Circumstances unfavourable to the Court in the course of the Elections.—The King takes Measures to gain Popularity.—The Duke of York indicted as a Popish Recusant.—Petitions for the meeting of Parliament.—Addresses of Abhorrence.—Fourth Parliament.—The Commons censure those Members who had opposed Petitions.—Inquiry into the Misconduct of Judges.—The Bill of Exclusion passes in the House of Commons,—rejected by the Lords.—Bills, for associating his Majesty's Protestant Subjects,—for repealing the Penal Laws against Protestant Dissenters.—The Commons resolve to withhold Supplies.—Angry Votes against the Court.—The King summons a Parliament,—to meet at Oxford.—Petition against holding the Parliament at Oxford.—Parliament meets.—Bill of Exclusion.—Disagreement between the two Houses upon the Case of Fitzharris.—Parliament dissolved.*

CHAP. III. 1678-9. Charles wishes to renew his alliance with France.

AFTER the dissolution of his second parliament, Charles became solicitous to renew his alliance with France; and would have submitted to the most shameful conditions, to extricate himself from the embarrassments of his revenue, and the tumults of faction, which were likely to revive in all their vigour upon the meeting of parliament.

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ment[1]. Barillon amused the expectations, and protracted the suspense of Charles, by listening to his solicitations, and descending to particular articles of a treaty; while he secretly represented to his master, that the interest of the popular leaders, augmented by the terror of the nation for popery, would be of more consequence to France, than the restrained and clandestine friendship of Charles[2].

Takes measures to regain the confidence of the nation.

Doubtful of the friendship, and perhaps suspicious of the treachery of France, Charles found himself under the necessity of forming his measures, with a view to conciliate the support of the popular leaders in parliament. A change of ministry took place[3]. The king pressed his brother to return to the external profession of the protestant religion: he entreated him to discontinue his attendance upon council, which excited a constant jealousy of his interference in the affairs of government. Unable to prevail in either of these points, he insisted upon his leaving the kingdom before the meeting of parliament[4]. The laws were carried into execution against Roman catholics with greater severity than what had been exercised in any former period of this reign[5]. Every engine of court influence was employed to model the election of members to serve in the new parliament, agreeably to the wishes of the king[6].

Elections.

If the court was industrious upon one side, its antagonists upon the other were not less active, and proved more successful in the course of the new elections. The protestant dissenters, who had been almost entirely excluded from the house of commons in the last parliament, now exerted themselves, with the aid of many fa-

[1] Dalrymple's Appendix, p. 207, 8, 9, &c.

[2] Ibid. p. 211.

[3] Sir Joseph Williamson, who had been sent to the Tower by the commons in the last parliament, for issuing commissions to persons disqualified by their adherence to the popish religion, was dismissed from his office of secretary of state, and the earl of Sunderland appointed to succeed him. The earl of Danby, who had fallen under the displeasure of parliament, was also dismissed from his office of lord treasurer. The earl of Essex, Laurence Hyde, sir John Earnle, sir Edward Deering, and Sydney Godolphin, were made commissioners of the treasury. Echard, vol. iii. p. 498-9.

[4] Life of James, 1679. Ralph, vol. i.

[5] Echard, vol. iii.

[6] Reresby.

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vourable circumſtances, and endeavoured to recover their proportion of public influence. The adherence of the moſt diſtinguiſhed patrons of the eſtabliſhed religion to the intereſt of the duke of York, afforded the diſſenters a ſpecious pretext for repreſenting them as deficient in that abhorrence of popery, which, in the preſent criſis, was eſſential to protect their conſtituents from its bloody machinations, lately brought to light by the diſcovery of a plot[7]. Candidates came under engagements to gratify the ſanguinary wiſhes of the people, by a diligent inveſtigation of the plot, and the zealous proſecution of its authors[8].

The king opened his third parliament on the 6th of March, with a ſpeech full of conceſſions and flattering promiſes; and expreſſive of his ardent deſire of being united to his parliament[9].

Miſunderſtanding between the king and the commons about the choice of a ſpeaker.

The firſt proceedings in the houſe of commons exhibited a ſpecimen of their temper; and portended that diſcord between them and the court, which never ſubſided during the period of their exiſtence. Sir Edward Seymour was unanimouſly called upon to take the chair[10]. The active part he had taken in the proſecution of lord Danby, recommended him to the commons, and determined the king to thwart their choice[11]. Several days were ſpent in angry repreſentations on the part of the commons, and a perſevering refuſal on the part of the king, to approve of the election of ſir Edward Seymour. At laſt, the parliament was prorogued from the 13th to the 15th of March[12]. The commons, impatient to proceed upon more important buſineſs, dropt the diſpute, by electing for their ſpeaker William Gregory, ſerjeant at law; of whom the king approved[13].

Temper of the commons.

It ſoon appeared that the new parliament had imbibed the ſpirit of their predeceſſors, and that they were reſolved to tread in their

7 Letters of the duke of York to the prince of Orange; Dalrymple, Ap. p. 218.

8 Hiſtorians of the times.

9 Journ. Lords, 6th March.

10 Grey's Debates, vol. vi. p. 402.

11 Ibid.

12 Ibid. p. 439.

13 Ibid. vol. vii. p. 2.

ſteps.

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ſteps. A committee was appointed by the commons to inſpect the journals of the laſt ſeſſion of the preceding parliament, in order to agitate anew thoſe meaſures which were rendered abortive by its diſſolution[14]. They delayed paying any attention to his majeſty's application for ſupply: they reſumed, with unabated reſentment, the impeachment of lord Danby. The rumour of a pardon granted him by the king, in bar of an impeachment, whetted their acrimony; and challenged them to enter the liſts againſt the mighty power of prerogative[15]. But above all, the late diſcovery of a popiſh plot furniſhed inexhauſtible materials for inflaming the jealouſies of the people.

Popiſh plot.

While the nation trembled for the approach of popery, a plot was diſcovered, which converted ſuſpicion into conviction, and ſeemed to require the moſt ſpeedy and violent expedients for ſecuring the exiſtence of the proteſtant religion, and the ſafety of its profeſſors[16].

Every paſſion in exceſs invades the province of the underſtanding, and has an immediate tendency to miſlead opinion, and pervert judgment. But there occurs not, in the annals of any nation, a more ſtriking example of the influence of terror, in ſupplying the moſt palpable deficiency of evidence, and overpowering the dictates of humanity, than the precipitancy and the violence, with which all parties in England entered into the meaſures we are now going to recite.

[14] Journ. Commons, 19th March.

[15] Ibid. 20th, 22d, 24th March, and 16th April. Ralph, vol. i. p. 437.

[16] The diſcovery of a popiſh plot was communicated to the king, during the receſs, before the laſt ſeſſion of the preceding parliament. By the advice of the earl of Danby, the examination of witneſſes was introduced into parliament. Journ. Com. 23d October, 1678.

From the moment of information, both houſes of parliament were occupied in contriving meaſures to diſcover the circumſtances of the plot, and the perſons concerned in it; and in forming reſolutions expreſſive of their alarm and indignation againſt the Roman catholics. The effect of inſpecting the Journals in this parliament, was a renewal of theſe meaſures and reſolutions. Agreeably to the plan of brevity propoſed in this work, I have given a continued narrative of the moſt important meaſures adopted by both houſes relative to the plot; though ſome of them were purſued by the laſt parliament, and ſome of them renewed by this, at ſucceſſive periods. In this comprehenſive recital the leſs impropriety will appear, when it is obſerved, that the reſolutions and the meaſures of the laſt parliament and of this, not only illuſtrate the ſame ſpirit, but that the latter, with little variation, are a tranſcript of the former.

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An account of a plot to assassinate the king, and to introduce the Roman catholic religion, though bearing in the face of it circumstances the most improbable and contradictory, and attested by men of the most profligate character, obtained universal credit, and roused a spirit of fury and implacable vengeance against all who were suspected of favouring that religion.

Measures taken in consequence of the plot;

Both houses of parliament concurred in a vote, "That there is, "and has been for several years past, a treasonable plot and conspiracy contrived and carried on for murdering the king, and for "subverting the protestant religion and the established government[17]." They consecrated their opinion with the sanction of religious solemnity, and addressed his majesty to appoint a day of humiliation and prayer, to obtain reconciliation with God, and to intreat him to defeat the designs of their enemies[18].

by the commons;

The commons entered with diligence into the examination of witnesses, to confirm the idea entertained of the plot: they offered a pardon and reward to such of the criminals as should make new discoveries, and impeach their accomplices: they addressed the king to give a reward of twenty pounds for the discovery of every catholic priest, and to pay the sum of five hundred pounds, agreeably to his proclamation, to Bedloe, whose testimony, notwithstanding the infamy of his character[19], had been admitted as satisfactory evidence of the murder of Godfrey, a material fact, connected with the conspiracy[20]. They committed colonel Edward Sackville, one of their members, to the Tower; and afterwards expelled him the house, for having disparaged the evidence of the plot; and to perpetuate his punishment, they addressed the king, to render him

[17] Journ. Commons, 24th March.—Journ. Lords, 24th March.

[18] Journ. Commons, 20th March.

[19] North's Examen. Reresby.

[20] Sir Edmund Bury Godfrey had received and attested Oates's narrative, and suddenly disappeared. His body was found, after three days search, lying in a ditch near the city.—The coroner and his jury gave it as their verdict, that he was murdered by persons unknown; and it was universally taken for granted, that it was done by the papists, in order to suppress the evidence of the plot.

incapable

incapable of holding any office under government [21]. They drew up articles of impeachment againſt earl Powis, viſcount Stafford, lord Arundel of Warder, lord Belaſis, five popiſh lords who had been committed upon Oates's information. They addreſſed the king, to order all papiſts to remove ten miles from London; and, becauſe he ſeemed dilatory and lenient in the puniſhment of the unhappy perſons already condemned for being acceſſory to the plot, they urged him, by repeated addreſſes, to order their execution [22]. They brought in a bill for the baniſhment of all papiſts, and even thoſe who were reputed to be ſuch, twenty miles from London and Weſtminſter; and for confining thoſe who lived at that diſtance from London, within five miles of their habitations [23]. To impreſs the nation more deeply with the apprehenſion of danger, they reſolved, that if the king ſhould come to a violent death, they would avenge it to the utmoſt upon papiſts [24]. They ſolicited the lords, to concur with them in an addreſs to the king, to give orders to the lieutenants of the ſeveral counties, to have the train bands in readineſs, and, that the militia of London, Weſtminſter, the Tower Hamlets, and the counties of Middleſex and Surrey may be immediately raiſed, and put into a poſture of defence [25].

by the Lords.

The lords ſeconded theſe meaſures, and in ſome inſtances they exceeded the zeal of the commons. Not content with adopting various meaſures to detect and convict popiſh recuſants, and ſuch as had been acceſſory to the plot, they ſtretched the arm of power with arbitrary violence, againſt thoſe who did not implicitly approve their ſentiments; and puniſhed men for opinions over which they had no command [26]. A committee appointed to inquire into the danger impending over the nation, was alſo empowered to call before them, perſons who had expreſſed themſelves doubtfully concerning the

[21] Journ. Commons, paſſim in October, November, and December, 1678; March, April, and May, 1679.

[22] Journ. Commons, 25th March.

[23] Journ. Commons, 25th March.

[24] Ibid. 11th May.

[25] Ibid. 9th and 10th May.

[26] Journ. Lords, 11th March.

plot,

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plot, or who had declared, that thoſe, who ſuffered for it, were innocent and unjuſtly condemned [27]. To render this reſolution more threatening and awful, they fixed upon no names, but left it in the form of a general, inquiſitorial, warrant, to be applied as extenſively as the committee ſhould deem proper [28]. They ſtretched their violence beyond the confines of England, and addreſſed the king, that the laws againſt the Roman catholics in Ireland might be carried into ſtrict execution [29].

Effects of them.

The direful effects of theſe meaſures it is painful to recollect. Allured by the proſpect of conſequence and of reward, informers crowded from every quarter: judges and juries, infected with the predominant credulity and panic of the nation, admitted guilt, and ſhed the blood of their fellow-citizens, upon evidence, which, in a more diſpaſſionate period, would not have been deemed ſufficient to juſtify any ſentence affecting property or character, in the moſt trifling degree. The great body of the people, agitated by terror, and duped by an implicit confidence in their factious leaders, delighted for a ſeaſon in ſanguinary and oppreſſive deeds. Real dangers may excite imaginary and exaggerated fears: imaginary and exaggerated fears may be pleaded as an apology for raſh and extreme ſeverity, but the man of ſenſibility will recoil with horror from ſcenes which exhibit the moſt deſperate outrage of bigotry, and the moſt diſtorted features of human nature. The patriot who feels for the honour of his country, will wiſh that tranſactions, which imprint an indelible ſtain upon the wiſdom and integrity of his anceſtors, were eraſed from the page of hiſtory [30].

These

[27] Journ. Lords, 11th March.

[28] Ibid. 25th March and 23d April.

[29] Ibid. 1ſt and 17th April.

[30] The exiſtence of a popiſh plot certainly appears queſtionable, when the following conſiderations are attended to:

1ſt, The infamous character of the witneſſes, the inconſiſtency and contradiction of the facts alleged, and the notorious perjury detected in the courſe of the evidence. See North's Examen, p. 176-9.—Somers' Col. vol. vii. p. 361. 405.—Life of James, 1677, 81, 83.—Salmon's Modern Hiſt. vol. xxiii.—Life of the Duke of Ormond, vol. ii. p. 513.—Burnet, 1698.

2dly, The plot often changed its ſhape. The

These unhappy effects of the dread of popery, however lamentable, were not matter of deep concern to the sovereign[31]. What-

The account given of it in the parliament was different from that which had been delivered to the privy council, and the evidence, adduced in the trial of individuals before the judges, differed from both. Somers' Col. vol. i. p. 44. Some of the votes of parliament, particularly that which related to the innocence of the queen, involved the perjury of Oates and Bedloe. Journ. Commons, paſſim.

3dly, The vehement and invariable proteſtations of innocence made by all who ſuffered on account of the plot, is a circumſtance entitled to great weight, when connected with the above obſervations. Nor will the univerſal credit given to the rumour of the plot, and the zeal with which it was proſecuted, appear unaccountable, when the peculiar circumſtances of the times are attentively conſidered.

1ſt, The deep horror of the people of England at popery, awakened and heightened by the duke of York's converſion to that religion, prepared them to liſten, with devouring credulity, to every tale of danger ariſing from that ſource. The diſcovery of the correſpondence of Charles with France, and his attachment to her intereſt, always combined with the introduction of popery and the ruin of England, raiſed the credit of the witneſſes to a pitch to which it could not have attained at any other period; eſtabliſhed an imaginary connection of facts, which ſupplied the want of direct proof, and ſet aſide many ſtrong and ſuſpicious circumſtances. Thus the paragraphs in Coleman's Letters, which referred to the ſecret league between Charles and the court of France, appeared to perſons who were ignorant of that league, to carry undoubted evidence of the exiſtence of the plot. See Sec. Hiſt. of Europe, vol. i. p. 231.

2dly, The reſentment and the diligence of the leaders of faction, and particularly the uncommon talents and the indefatigable induſtry of Shaftſbury, were employed, if not in the firſt inſtance, to fabricate evidence in ſupport of the exiſtence of the plot; yet, undoubtedly, to improve every rumour and external event to the greateſt advantage, by cheriſhing the credulity and exciting the terror of the nation. See Shaftſbury's Trial, State Trials, vol. iii. Copies of Oates's Narrative were circulated through the nation: Every new diſcovery was diſpatched with incredible expedition, and with circumſtances of aggravated horror, to the remoteſt parts of the country. The calamities of nature and of accident, as they beſt ſuited their purpoſe, were interpreted, either as providential warnings of national danger, or as the effects of the malignancy of the Roman catholics, connected with the plan of extirpating the proteſtants. Journ. Commons, 26th April, 1679.

3dly, The puſillanimity of the king, and the diſhoneſt policy of his miniſters, co-operated with the ſchemes and the labours of thoſe whoſe intereſt it was to eſtabliſh the belief of the plot. Life of James, 1680.

4thly, The invitations, pardons, and rewards, held forth to informers and witneſſes, produced ſuch an accumulation of evidence, that it was no wonder if ſomewhat was culled from it, that was ſpecious and impoſing.

5th. The violence and partiality of the judges, particularly of chief juſtice Scroggs, not only diſpenſed with the moſt eſſential qualities of evidence, but trampled upon the principles of juſtice, and thus gave a ſanction to that latitude which the prejudice of every man led him to adopt, in the interpretation of proofs adduced in ſupport of the reality of the plot.

6th. The diſcovery of Coleman's correſpondence, and the expreſſions in ſome of his letters, though no proof of the identical plot diſcovered by Oates, nor involving the privity of others, yet manifeſted ſo much of that ſpirit of reſtleſs intrigue and violent bigotry which characteriſe the Roman catholic religion, that they may be eaſily ſuppoſed to have produced a mighty influence in raiſing an alarm, and fully convincing thoſe who were alarmed. L'Eſtrange. North's Examen, p. 123 and 169.—Somers' Col. vii. p. 262.—Welwood, p. 123.

[31] Burnet, &c.

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ever were the private ſentiments of Charles, he had hitherto given countenance to zeal, which veiled itſelf under the pretext of loyalty [32]. Some of the miniſters, upon whom he relied with implicit confidence, either from conviction, or with the crafty deſign of diverting to another object the ſtorm which was ready to burſt upon their own heads, ſtood foremoſt in the proſecution of meaſures, for the diſcovery and the puniſhment of the abettors of the popiſh conſpiracy [33].

Proſecution of lord Danby.

Other coincident meaſures, erected upon the ſame baſis, and flowing from a diſaffection to the court, were of a tendency more alarming to the king and his miniſters. The proſecution of lord Danby was conducted by the commons with ſuch virulent and tyrannical oppreſſion, as rendered it evident, that their object was not merely to diſgrace a miniſter whom they hated, but to ſtain the honour of the prince, and to check the future exertions of prerogative [34]. Intimidated by the proſpect of theſe conſequences, the king would willingly have entered into a compromiſe with the commons, by yielding, in a certain degree, to the diſgrace of his miniſter, notwithſtanding his having already granted him a pardon [35]. For this purpoſe a bill was carried through in the houſe of lords, for rendering lord Danby incapable of coming into his majeſty's preſence,

[32] Echard gives us this remarkable anecdote, which he heard from the perſon to whom the king related it. About the beginning of the rumour of the plot, an entertainment was given, by twenty eminent citizens, to Tongue and Oates, and to a noted divine, who had been often favoured with the king's private converſation. The ſuperior deference paid to Oates offended Dr. Tongue, who addreſſed his aſſociate in theſe words: "You "know nothing at all of the plot, but what "you learned from me." One of the company communicated this information to the king, who ſent for the above divine, and deſired to hear the particulars from him. He alleged the badneſs of his memory, and deſired the king to excuſe him. Though the king urged, he ſtill declined to ſatisfy him. Upon which, the king incenſed ſpoke to this effect: "I find there is like to be a great "deal of bloodſhed about this plot, and the "times are ſo troubleſome and dangerous to "me, that I durſt not venture to pardon any "that is condemned; their blood be upon "your head, and not upon mine." Echard, vol. iii. p. 472-3.

Contraſted with the king's private ſentiments, compare his ſpeech to both houſes, November 1678.

The king refuſed to pardon Plunket, though he believed him to be innocent. Echard, vol. iii. p. 631.

[33] Life of James, 1680. Extract 12th.

[34] Journ. Commons, 20th, 21ſt March.

[35] Burnet, vol. ii. p. 788.

fence, of holding any office, or fitting in the houfe of lords[36]. Far from being fatisfied with this, the commons forwarded a bill of attainder, which was to be put in force, unlefs he furrendered himfelf for trial againft a certain fixed day[37]. The lords fent back this bill; repeated conferences between the two houfes were held upon the fubject of it. The commiffioners from the lords earneftly expoftulated with thofe from the commons to mitigate their feverity, and to obtain their confent to the banifhment of lord Danby. The commons, with an inflexible obftinacy, contended for the bill of attainder. The lords, at laft, reluctantly confented, that it fhould pafs, under the condition of prolonging the period allowed for lord Danby's furrendering himfelf for trial[38].

The king alarmed by the proceedings of the commons.

By this victory of the commons, the principal object the king expected to obtain, by the diffolution of his parliament, was fruftrated. He muft immediately fubmit to all the difagreeable confequences of a rigid fcrutiny into Danby's correfpondence with France. A trial was to be carried on, in defpite of a royal pardon; an attempt highly mortifying to the king, and which, if fuccefsful, would furnifh a precedent for the farther abridgment of his power[39]. A ftorm no lefs formidable was gathering in another quarter. The commons had, early in this feffion, introduced a bill to fecure the kingdom from popery[40]. It was impoffible to conjecture, what extravagant projects the ingenuity of faction might not erect upon this broad foundation. It was certainly forefeen, that the exclufion of the duke of York from the fucceffion to the throne, was directly aimed at; a meafure which the king formed the refolution of refifting at any hazard[41]. He found that he had not gained any advantage by changing the reprefentatives of the people, neither could he hope to derive fincere and effectual exertions in fupport of his preroga-

[36] Journ. Lords, 22d March.
[37] Journ. Com. 25th & 26th March, 1ft April.
[38] Ibid. 4th, 5th, 7th, 8th, 9th, 10th, 12th, 14th April.
[39] North's Examen.
[40] Journ. Commons, 22d March.
[41] Echard.

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tive from his new miniſters, ſome of whom he ſuſpected of being acceſſory to the councils of the popular leaders[42]. He was aware, on the other hand, of that increaſe of national diſaffection, and the embarraſſment of his finances, which muſt be the conſequences of a premature diſſolution of parliament. In this criſis of perplexity and diſtreſs, he fondly liſtened to the project of a new council, ſuggeſted by ſir William Temple, as the moſt likely expedient for maintaining his own authority and the peace of the nation[43]. The privy council, which conſiſted of ſixty members, was but little conſulted upon the affairs of government. The king had been wont to ſelect from his larger council a ſmall number, under the name of the committee for foreign affairs, to whoſe diſcuſſion and advice the moſt important meaſures, relative to domeſtic and foreign politics, were referred[44]. It was now reſolved, that the privy council ſhould be reduced to the number of thirty; the one half of this number was to be filled by perſons in miniſterial offices, who might therefore be expected to pay a decent reſpect to prerogative; and as the other fifteen were perſons of the greateſt property in the nation, it was believed, that, through their influence, the violence of oppoſition would be reſtrained, and the public buſineſs conducted with harmony and ſucceſs. By transferring to the new council the ſupreme direction of affairs, the king hoped to be exempted from reſponſibility, and to eſcape that cenſure, which had hitherto purſued him through every ſucceſſive change of miniſtry and meaſures[45]. Though the notification of this meaſure was received with teſtimonies of approbation by the people, and their more unprejudiced repreſentatives in parliament, yet, to the leaders of every party it appeared ſomewhat exceptionable. The zealous loyaliſts were offended at a renunciation of power which depreſſed prerogative, and excluded them from any ſhare of public influence[46]. The members in oppoſition

A new council.

[42] Dalrymple, Ap.

[43] Temple. Journ. Lords and Commons, 21ſt April.

[44] Ralph, vol. i. p. 438.

[45] Ibid.

[46] Life of James, 1679. North's Examen.

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imputed the appointment of lord Shaftſbury, to be preſident of the council, to the timidity of the king, rather than to any change in his ſentiments; and regarded it as a happy preſage of their ſucceſs in extorting farther conceſſions from the crown, and advancing their own influence. The factious members of the council availed themſelves of their new dignity to raiſe their credit in parliament[47]. The earl of Shaftſbury boaſted of his precedency, as an evidence of his having recovered the favour of the king[48].

So far from working any change upon the temper of the commons, the inſtitution of the new council does not appear to have produced the ſmalleſt abatement of their ardour, or any interruption to the violent meaſures in which they were engaged.

The commons proceed in the impeachment of the earl of Danby.

They proceeded, the day after it had taken place, to renew their inſtructions to the committee for the impeachment of the earl of Danby, who had ſurrendered himſelf at the bar of the houſe of lords[49]. Indignant at any barrier being oppoſed to their reſentment, they appointed a committee to inquire into the proceedings relative to lord Danby's pardon, and the manner in which it had been obtained[50]. They reſolved that the pardon was illegal, and conſe-

[47] Life of James, 1679. North's Examen.

[48] It may ſeem ſomewhat extraordinary, that lord Shaftſbury, ſo treacherous to Charles, ſhould be taken into the new council. He was, however, propoſed by the king himſelf, who aſſigned this reaſon for it, that, if left out, he would do more miſchief than any man.

This trimming of the king operated greatly to the prejudice of his affairs, as it made the people believe, that Shaftſbury was ſtill in the king's confidence, and induced them to give credit to all his political fictions. Deſpairing of being ever reconciled to the duke of York, he devoted himſelf entirely to the intereſt of the duke of Monmouth. He uſed to declare among his friends, that the duke of Monmouth was ſo beloved by the king, that he only wiſhed to have an opportunity of acknowledging his legitimacy, and that the violent proſecution of thoſe concerned in the popiſh plot, the excluſion of the duke of York, and the obſtinacy of parliament, would afford him that opportunity. Echard, vol. iii. Life of James, 1679. "Such miſchief," ſays ſir William Temple, "could never have grown, if Shaftſbury had not worked himſelf into the credit of being ſecretly well with the king, and ſtill better with Monmouth, whoſe ſucceſs would repay all their ſervices." Temple, vol. i. p. 418. This fact conveys an inſtructive leſſon to princes, that nothing can be more dangerous than externally to careſs, and to inveſt with authority, thoſe men whom they ſecretly deteſt and fear.

[49] Journ. Commons, 22d April.

[50] Ibid. 25th April.



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quently void, and went in a body to the houſe of lords to demand judgment againſt him, as ſtanding accuſed of high treaſon [51]. The legality of the pardon, and the objections of the commons, the lords reſolved to examine with deliberation and candour, and addreſſed the king to appoint a high ſteward to preſide at the trial of lord Danby and the popiſh lords; the latter of which they intended to bring to a ſpeedy deciſion [52]. Theſe reſolutions of the lords were conſidered by the commons as intended to interrupt the progreſs of lord Danby's trial, and to ſcreen prerogative from the ſhock it muſt have ſuſtained by the diſregarding of the king's pardon. Another reſolution of the lords, which appeared more materially to affect the iſſue of the trial, confirmed the ſuſpicions of the commons, and furniſhed a new topic of altercation between the two houſes. After deliberating upon the circumſtances of the trial, the lords decided, that the biſhops were entitled to remain in the houſe, in capital caſes, till judgment of death ſhould be pronounced [53]. As the invariable attachment of the biſhops to the meaſures of the court was notorious, this reſolution of the lords was conſidered as deciſive with reſpect to the preliminary queſtion of the validity of lord Danby's pardon. The commons earneſtly ſtruggled, in repeated conferences with the lords, to prevail upon them to retract their opinion with regard to the interference of the biſhops, and alſo to prefer the trial of lord Danby to that of the other lords under impeachment. Unable to obtain the conſent of the lords, they paſſed reſolutions in oppoſition to their deciſions. They not only aſſerted, that the pardon was illegal, but declared it criminal in any of their members to maintain its validity. They reſolved, that the biſhops had no right to vote in caſes of life and death [54].

[51] Journ. Commons, 5th May.

[52] Journ. Lords, 5th and 6th May.

[53] Ibid. 13th May.

By the conſtitutions of Clarendon, the clergy are required to aſſiſt at trials only till ſentence of death, or loſs of members, be given againſt the criminal. Hume, vol. i. The ſame reſpect to the delicacy of the eccleſiaſtical character ſeems to have taken place in other kingdoms of Europe. Retz's Memoirs.

[54] Journ. Commons, 15th, 17th, 26th May. Grey's Debates, vol. vii.

Irritated

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1679.

Bill of exclusion.

Irritated by repeated disappointments of bringing their attacks upon the prerogative to any effectual issue, and emboldened by the increasing discontent of the nation, the commons now resolved, with more daring assault, to push their resentment within the walls of the palace, and to offer violence to the affections of the king. Having found that the adherence of the duke of York to the Roman catholic religion was a principal cause of the dangerous conspiracy against the life of the king and the constitution, they brought in a bill to exclude him from the succession to the crown after the demise of his majesty[55]. The detail of arguments upon both sides of this question, by far the most delicate and important that was agitated in the course of this reign, I defer till that period, when they may be said to have attained to their highest improvement and most extensive influence. We need not wonder if the first proposal of the exclusion filled the king with anxiety and alarm, and excited the most determined purpose of opposition to it. Hereditary, indefeasible right was the foundation of non-resistance and of absolute power. The exclusion of the next lineal heir of the crown cut the stock upon which all those luxuriant branches of prerogative were grafted, which his fondest prejudices led him to venerate and to cherish[56]. It were uncandid, at the same time, not to admit, that the influence of natural affection contributed to render the king averse to a measure contrived to bereave his brother of his birthright, and, in case of his surviving, to consign him to exile and disgrace.

Inquiries concerning the mismanagement of the navy and the revenue.

While the commons were vehemently engaged in forwarding the bill of exclusion, they contrived with dexterous policy, to introduce such inquiries as furnished new arguments for that measure; and which at the same time obliquely reflected upon the character of the duke of York. They appointed a committee to in-

[55] Journ. Commons, 27th April, 8th and 11th May.

[56] Reresby, p. 121. Life of James, 1680. Extract 12th.

quire

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quire into the miſcarriages of the navy, the management of which had principally devolved upon him, and in which he had hitherto been ſuppoſed to poſſeſs diſtinguiſhed merit[57]. A ſtrict examination into the expenditure and the abuſes of the revenue was carried on, with a view of expoſing the corrupt practices of the king and his miniſters during the late parliament; and to render infamous thoſe members who had yielded to their influence. Charles Bertrey, who had received a commiſſion for diſtributing the ſum of two hundred and fifty thouſand, four hundred and ſixty-ſeven pounds, for the ſecret ſervice of government, was, by the order of the houſe, committed to the cuſtody of the ſerjeant at arms, becauſe he refuſed to ſtate to them the particular articles in which that ſum had been expended[58]. Sir Stephen Fox, who had been employed by the court in the ſame office, was ordered to produce every account of money paid to members, or to other perſons, for the purpoſe of keeping public tables, and performing any ſecret ſervice for the court[59]. From ſir Stephen Fox's evidence it appeared, that the ſum of three thouſand four hundred pounds had been paid, annually, in penſions to members of parliament; a ſum which fell ſhort of the expectation of the authors of this inveſtigation. There is reaſon however to ſuſpect, that this ſum was but an inconſiderable proportion of the money diſtributed for the purpoſe of corrupting members. For it is remarkable, that ſome names were added, upon

57 Journ. Commons, 22d May 1679. Sir Anthony Dean and Mr. Samuel Pepys, ſecretaries of the admiralty, were charged with holding a correſpondence with France. The former, it was alleged, had carried into France an exact liſt of the Engliſh navy, a deſcription of all the forts, and an account of their weakneſs and ſtrength. This he was ſuppoſed to have done, with the privity of the duke of York, and for the purpoſe of carrying on the plot. Though the duke of York was much in the intereſt of France, yet there is no evidence of his having been guilty of ſuch treachery; but the very inſtitution of the inquiry, while the prejudices of the nation run high againſt him, made him perhaps appear more criminal in their eſtimation, than if it had been brought to an iſſue. Ralph, p. 450.

58 Journ. Commons, 10th May. Grey's Debates, vol. vii. p. 232.

59 Ibid. 23d May. Grey's Debates, vol. vii. p. 315.

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the knowledge of private members, to the liſt of penſioners delivered by ſir Stephen Fox, who ſpoke merely from memory, and the books of account never were produced, nor could afterwards be found[60]. It muſt alſo be obſerved, that this inquiry was confined to the abuſe of the revenue; and it may be conjectured, that a great part of the money which the king received from France, was applied to the ſame profligate purpoſe of domeſtic corruption.

Bills to retrench the influence of the court.

To retrench the parliamentary influence of the court, a bill was twice read in the commons, to prevent any member of the houſe from accepting of any poſt or penſion, during that ſeſſion of parliament[61]. They extended their views beyond a temporary reformation, and turned their thoughts towards the moſt effectual means for ſecuring the independence, and preſerving the integrity, of ſucceeding parliaments. In order to prevent the court from conferring the privilege of voting on the very eve of an election, upon perſons devoted to its intereſt, and often brought from a diſtance, to counteract the natural and the pure influence of conſtituents, the period of one year's reſidence in the county or burgh in which they voted, and two hundred pounds clear of all incumbrances, were propoſed to conſtitute a qualification for a vote. Heavy penalties were enacted againſt corruption, and the magiſtrates and officers who ſhould connive at it. The bill concluded with declaring, that no future parliament ſhould, either by prorogation, adjournment, or any other method, be continued above the ſpace of two years[62]. That the commons might totally exclude the crown from every hope of ſupply by any expedient, without their conſent and authority, a bill was brought in and committed, to ſecure the ſubject from the illegal exaction of money[63]. Theſe laudable efforts for improving the conſtitution were fruſtrated by a miſunderſtanding which happened between the

[60] Ralph, vol. i. p. 449.
[61] Journ. Commons, 1ſt May.
[62] This bill is not inſerted in the Journals. See an account of it in Ralph, vol. i. p. 449.
[63] Journ. Commons, 23d, 25th April, 1ſt May.

two

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1679.

two houfes, in various points relative to the trial of lord Danby. A bill for fecuring the liberty of the fubject, known by the name of the habeas corpus, met with better fuccefs; and will for ever diftinguifh this parliament, by the grateful remembrance of pofterity [64].

A feries of meafures, fo hoftile to prerogative, widened the breach between the king and the commons. No fooner was it fufpected that the king intended to prorogue the parliament, than meafures were taken out of doors to intimidate him, by difplaying the ftrong fupport which the commons derived from the affections and gratitude of the people. An addrefs of thanks to the parliament by the city of London, and a remonftrance againft their prorogation, were prepared [65]. Precipitated by fear, the king durft not hazard the advice of his new council, which he had pledged himfelf to regard; and, by an unexpected prorogation, ftopt the tide of popular rage, which beat with fuch threatening violence againft the pillars of prerogative. The third parliament of Charles was diffolved the twelfth of July, one thoufand fix hundred and feventy-nine, and a new parliament fummoned to meet on the feventeenth of October following.

Parliament diffolved.

27th May.

To the king, difappointed of the fuccefs he expected from the diffolution of the long parliament, there now remained no profpect of fupplying his neceffities, and of reigning in peace, but by renewing his alliance with France, or obtaining, in a new parliament, reprefentatives more friendly to the interefts of the crown. Steps were taken preparatory to either of thofe meafures, as fhould afterwards be found expedient.

Charles attempts to enter into a new treaty with the French king.

As Charles was led, by an infatuated predilection, to prefer the friendfhip of France to the affections of his fubjects, fo the former was at this time ftrongly recommended to him, by the addrefs

64 Journ. Commons, 27th May. 65 Reresby. Temple.

and

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and importunity of his brother[66]. Alarmed by the repeated attempts to exclude him from the throne, the duke of York devoted himſelf, with anxious aſſiduity, to promote a treaty between his brother and the French king, as the only means of preventing the meeting of a future parliament, and of ſecuring his own ſucceſſion[67]. The extravagant demands of Lewis firſt retarded the progreſs of this treaty, and at laſt put an end to it. He inſiſted that Charles ſhould lay aſide parliaments altogether, or diſcontinue them for a long time, a meaſure which, from paſt experience, had been found equally unſafe and impracticable[68]. The ſuſpenſion of parliament for the ſpace of three years, was at laſt agreed to by Charles, and accepted of by the king of France. But, though it is probable that the former was well inclined to conclude this treaty, yet his miniſters, particularly Sunderland and Hyde, who had taken every previous ſtep with zeal, rejected the terms of it, either from the dread of perſonal danger in caſe of detection, or from the apprehenſion of being diſappointed of the rewards they expected from France[69].

Circumſtances unfavourable to the court in the courſe of the elections.

In the mean while, the general courſe of elections did not open a near proſpect of compoſing the tumults of the nation, and of re-eſtabliſhing the tranquillity of the king, by the intervention of parliament. If patriotic zeal had not hitherto accompliſhed its full deſire, yet it had led to diſcoveries which faſtened ignominy upon the adherents to the court, and weakened their influence in the competition for public confidence. The inquiry of the late parliament into the ſtate of the penſions, produced a liſt of names, which were circulated through the country with malevolent additions; and they were repreſented, as having rendered themſelves too infamous to be entruſted with the protection of the rights of their fellow-

[66] Dalrymple, Ap. p. 239.

[67] See letters of the duke of York to Lewis, Ibid. p. 239.

[68] Ibid. p. 233-4.

[69] Ibid. p. 242.

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subjects[70]. To countenance their pretensions was to participate of their crimes, and to endanger the constitution. The part which individuals had taken in the exclusion, the most ambiguous question which had been discussed in the last parliament, was assumed as an infallible criterion to ascertain integrity or corruption of character, and to fix the approbation or the censure of the people. The exclusionists were patriots, protestants, and friends to the constitution: the anti-exclusionists were, in their hearts, papists, the abettors of arbitrary power, and devoted to the interest of France[71]. All the malignant ingredients which composed the last of these characters were comprehended in the name of *Tory*, a term which had been formerly applied to the wildest savages in Ireland; while the loyalists as scornfully retorted upon their antagonists the appellation of *Whig*, by which they expressed the idea they entertained of their despicable station, illiberal principles, and tumultuary proceedings[72]. Circumstances so well fitted to work upon the temper of the people, still agitated with fresh rumours about the plot, and applied with dexterity and diligence by the country party or whigs, produced a majority of returns in their favour.

Some events occurred after the elections, which farther tended to increase the discontents of the people, and to furnish new materials for

[70] Caveat against Whigs, p. 68. North's Examen.

[71] Ibid.

[72] The terms *Whig* and *Tory* came to be in familiar use during the late parliament. The people, while the question concerning the exclusion was depending, assembled, day after day, about the gates of Westminster. The king's guards were ordered to disperse them; and as a scuffle sometimes ensued, the enraged multitude expressed their indignation by giving their adversaries the name of *Tories*. Such the wild Irish were called, of whose barbarity the most shocking accounts were at this time brought to London. The mean appearance of the rabble, who attended the exclusionists with shouts of applause as they entered and returned from the house of commons, provoked the loyalists to express their contempt of them by the appellation of *Whigs*, which was appropriated to the poorest of the people in Scotland, or those who carried to market the refuse, or what was called the whig of the milk, which their wretchedness would not allow them to bestow upon their cattle. North's Examen, p. 320.

The same names were afterwards applied to the clergy: those who preached against the fanatics, and in defence of the prerogative, were called *Tories*: those who sounded the alarm of popery and of the plot, were called *Whigs*. Ibid.

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the declamation of their leaders, when permitted to enter upon the discharge of their public truſt. The duke of York ſuddenly returned from Bruſſels, as ſoon as the king's indiſpoſition was notified to him, and met with a reception which confirmed the general impreſſion of his brother's unalterable attachment to his intereſt[73]. The moſt important favours conferred by the court were now traced to his recommendation[74]. The duke of Monmouth, who had attained to the ſummit of popularity by the intrigues of his party, and the ſucceſs and lenity with which he had extinguiſhed the rebellion of the covenanters in Scotland, was deprived of all his offices, and baniſhed to the Continent; while the duke of York was permitted to reſide in Scotland, that he might be near the ſcene of action[75]. The invention of a new plot, called the meal-tub plot, revived the ſpirit of terror and proſecution, which had begun to languiſh from the yielding temper and ſevere ſufferings of the Roman catholics[76].

2d Sept.

October.

The king takes meaſures to gain popularity.

The impreſſion made by theſe events was too deep to be effaced by a few oſtentatious meaſures, purſued by the court in conceſſion to the prevailing ſentiments of the nation. Treaties with Spain and with Holland, formerly the object of patriotic deſire, were earneſtly ſet about, after the miſcarriage of the alliance with France. The moſt fervent zeal was affected by the court againſt Roman catholics, and the king embraced every opportunity of declaring his purpoſe to fall in with any new meaſures which might be ſuggeſted by the approaching parliament, to maintain the ſafety of the proteſtant religion, provided the legal order of ſucceſſion was not invaded[77]. This reſervation, however, the popular leaders were determined not to tolerate; and, though excluded from the opportunity of parliamentary oppoſition, they adopted a method of declaring their ſen-

[73] Burnet. Echard.

[74] Rereſby, p. 99.

[75] Echard.

[76] One Dangerfield, who had been branded for the moſt atrocious crimes, pretended that money had been offered him by ſome of the popiſh lords, to kill the king and lord Shaftſbury; and becauſe ſome of the papers to which he referred as evidence were found in a meal-tub, the plot was called the Meal-tub Plot. Ralph, &c.

[77] Echard.

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1680.

The duke of York indicted as a popish recusant.

March.

timents, not less effectual, to embolden their adherents, and to confirm their jealousy of the court.

The earl of Shaftsbury, accompanied by a considerable number of persons of the first rank in the nation, presented, to the grand jury of Middlesex, reasons for indicting the duke of York as a popish recusant. The refusal of the chief justice Scroggs to admit the complaint, and a premature dismission of the grand jury, after he had been sent for to Whitehall, afforded a striking evidence of the arbitrary spirit of government[78]. The long suspension of parliament was marked, as a palpable contradiction to the hypocritical professions of zeal for the protestant interest held forth in all the declarations of the court. The last parliament had been dissolved in the very career of their zeal, and while prosecuting the most effectual measures to detect and to arraign the machinations of a restless and bloody superstition. Was there not reason to apprehend, that the resentment of the court was excited by that part of their conduct which appeared meritorious, in the eyes of every person well affected to the religion and liberties of England[79]? The people, in general, were impressed with a full persuasion, that nothing less than the united wisdom of their independent representatives could penetrate into the deep mysteries of jesuitical intrigues, or devise remedies adequate to the magnitude and extent of the mischiefs with which they were pregnant: and yet, from month to month, by prorogation after prorogation, the nation was disappointed of that antidote against danger which the constitution provided, and the royal proclamation had flattered them to expect. How mortifying, at the same time, to the new elected members, to be detained in an obscure and private station, and prevented from enjoying the honours and privileges annexed to the trust and the public character, which the choice of their fellow-citizens had conferred upon them.

[78] Ralph, vol. i. p. 504.

[79] Appeal from the city to the country.

Agreeably

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1680.

Petitions for the meeting of parliament.

9th December 1679.

Agreeably to these sentiments, a petition was presented by seventeen peers, setting forth the ill effects of the dissolution of the last parliament, and praying the king to continue his new elected parliament for the dispatch of business, after the period of the next prorogation[80]. The influence of this example spread with rapidity, and brought in petitions to the same purpose from every quarter, and from every denomination of citizens[81]. A proclamation, issued by the king, to prohibit persons from presuming to promote, or *agitate* subscriptions to petitions of a seditious tendency, only served to evince the contempt of royal authority, pushed beyond the restrictions of law. The violence of this measure, and a refined distinction, contrived to evade the law, which expressly ascertained the right of the subject to petition the sovereign, was exposed with acrimony and ridicule in news-papers, and other periodical publications[82]. Prerogative was baffled; the stream of petitions still flowed in with unabated violence[83].

12th December.

Addresses of abhorrence.

If the authority of proclamations was insufficient to prevent petitions from being thrown into the scale of popular interest, the only remaining remedy was, to counterbalance them by petitions and addresses of an opposite tendency. The duke of York, ambitious to carry along with him to court an evidence of the great personal influence he had acquired during his residence in Scotland, had obtained from the nobility and gentlemen there, an address to the king, full of the most ardent declarations of loyalty and affection, and professing, in the strongest terms, an abhorrence of that turbulent spirit which dictated petitions disrespectful to his majesty's person and government[84]. After this example, similar addresses were

[80] Burnet. Kennet. [81] Ibid.

[82] The term *agitate* subscriptions, was suggested by lord keeper North, as a palliative of a proclamation, which seemed to be directly in the face of law. At the same time, the methods used by the popular party to procure subscriptions to petitions, seemed to require a check. North's Examen, p. 541, &c.

[83] Echard, &c. [84] Ibid.

promoted

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1680.

promoted by the agents and partiſans of the court in England; and even preſented by ſome of the towns and corporations which had petitioned for the meeting of parliament[85]. The general ſcope of them was to expreſs their ſenſe and abhorrence of the miſchievous tendency of petitions; and ſome of them even deſcended into a flattering approbation of thoſe meaſures of the court which were deemed moſt illegal and arbitrary[86].

Fourth parliament.

The period, to which men of every different opinion and party looked forward with the moſt anxious expectation, at laſt approached: The king, after ſix prorogations, met his parliament on the twenty-firſt of October one thouſand ſix hundred and eighty. He mentioned in his ſpeech the beneficial effects which had reſulted from the ſeveral prorogations of parliament, both to himſelf, and to neighbouring ſtates; and his having completed an alliance with Spain. He recommended the vigorous proſecution of the plot; and ſolemnly declared, that provided the ſucceſſion of the crown was preſerved in its due and legal courſe, there was not any remedy which they could propoſe for the ſecurity of the proteſtant religion, to which he would not readily give his conſent[88].

Sir William Williams was choſen ſpeaker of the houſe of commons, and approved of by the king[89]. All the meaſures purſued by the two former parliaments, to ſupport the credit and keep alive the terror of the plot, were repeated, and need not again be ſpecified[90]. To all their ſolicitations and recommendations upon this ſubject, the court yielded with an obſequious facility, which left no room for complaint or remonſtrance. A retroſpective view of the conduct of the court during the receſs of parliament, furniſhed ample grounds for commencing hoſtilities againſt the friends of the prerogative, and for trying the ſtrength of parties.

[85] Echard, &c. [86] Ibid.
[87] Ralph.
[88] Journ. Lords, 21ſt October.
[89] Journ. Lords, 22d October.
[90] Ibid. 23d October, &c. Journ. Commons, 28th October, &c.

The

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1680.

The commons censure those members who had opposed petitions.

The ſuperiority of the whigs was diſplayed by the reſolutions of the commons, which adopted the characteriſtical ſentiments of the party, upon the queſtion of petitions. They declared, that it was the undoubted right of the ſubject to petition the king for a redreſs of grievances, and for the calling of a meeting of parliament[91]. They proceeded to open, effectual marks of their diſpleaſure againſt thoſe who had diſcountenanced the petitions: they declared ſuch conduct ſubverſive of the ancient conſtitution, and favourable to arbitrary government, and appointed a committee to inquire into, and make their report upon this matter[92]. They did not ſtop at threats and angry words: in conſequence of the report of their committee, they expelled ſome of their members for having joined in addreſſes of abhorrence, and others for having expreſſed their diſlike of petitions[93]. The commons did not confine their reſentment to offenders on the ſubject of petitions, or to ſuch as were placed more immediately within their own juriſdiction: they were determined that perſons of the firſt eminence, and who, from the influence of office, enjoyed more frequent opportunity, and more extenſive capacity of promoting arbitrary meaſures, ſhould feel and learn to dread the ſeverity of their chaſtiſing arm.

Inquiry into the miſconduct of judges.

In order to compaſs this deſign, they appointed a committee to examine the proceedings of the judges in Weſtminſter-hall[94]. North, lord chief juſtice of the common pleas; ſir Robert Weſton, one of the barons of exchequer; ſir William Scroggs, the chief juſtice; and ſir Thomas Jones, one of the puiſne judges of the king's bench; had all of them fallen under the diſpleaſure of the public, for having adviſed the court to illegal meaſures, or for having proſtituted their official authority, by exceeding in ſeverity, or by obſtructing the courſe of juſtice, to gratify the caprice or reſentments of the court. Hence theſe perſons were marked out as the moſt proper objects of

[91] Journ. Commons, 27th October, &c.
[92] Ibid.
[93] Ibid. 29th Oct. 1ſt Nov. and 10th Dec.
[94] Journ. Commons, 23d November, 1679.

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patriotic resentment. After the examination of evidence, and the reports of their committees, impeachments were voted for and carried, and articles immediately drawn up against Scroggs, and presented to the house of peers[95].

The bill of exclusion passes in the house of commons.

But the great and interesting object on which the whigs collected their utmost force, was the bill of exclusion. It was ushered into the house by an information, containing all the reports of the two last parliaments relative to the popish plot; and by resolving, that the duke of York's being a papist, had given the greatest encouragement to the conspiracies against the king, and the protestant religion[96]. A committee was appointed to draw up a bill to disable him from succeeding to the crown of England[97]. The bill when introduced, was supported by the most eminent speakers, while the few who adhered to the court, opposed it in every stage; and endeavoured to load it with amendments, which were likely to defeat its end[98]. In vain had the king attempted to divert the commons from this obnoxious subject, by repeated assurances of his approbation of every other plan they could devise for the security of the protestant religion, provided they did not violate the hereditary succession[99]. To these the commons replied with an address, which, under the mask of a respectful answer, couched the sharpest reprehensions for the error and malignancy of those counsels which he had hitherto followed. If the cruel machinations of Rome should yet take effect; if her emissaries, through failure or the suppression of evidence, still lurked about and infested the kingdom; it was entirely owing to the dissolution of the last parliament advancing in patriotic measures, with that zeal and success, which merited the applause and the congratulations of the nation. They arraigned the king for the palpable con-

95 Journ. Commons, 23d, 24th, and 26th November, 10th, &c. December, 1680; 5th and 7th January 1681.

96 Ibid. 2d November 1680.

97 Ibid.

98 Grey's Debates, 3d, 6th, and 11th November.

99 Journ. Commons, 9th November 1680; 4th January 1681.

tradiction of his conduct to his professions and promises, while he entrusted the garrison of Tangiers, for the support of which he was soliciting supply, to the command of popish governors, and reinforced it, from time to time, with popish officers and popish soldiers. However anxious to preserve the British dominions entire, yet it were treachery to their constituents, to turn their attention towards the distant members of the empire, while its vital parts were threatened with destruction [100].

The rumour of a popish plot in Ireland was eagerly embraced by the commons, as affording them a favourable opportunity for enlarging the list of their witnesses, and for pleading the necessity of the exclusion bill [101]. When the vicinity of that kingdom was considered, and in what immense proportion the papists exceeded the protestants, there could be but little hope that any limitations which the wisdom of parliament could devise, would be regarded by a popish successor.

Rejected by the lords.

The bill of exclusion did not meet with that reception and that support in the house of lords, which might have been expected from the number and the interest of those members who had been the most active, in every preliminary step, to prosecute the abettors of the plot, and to thwart the influence of the duke of York. The commitment was carried only by two votes, and the same evening it was debated, and cast out by a great majority [102]. The masterly eloquence of the earl of Halifax, which, upon this occasion, far excelled that of his opponents, is said to have operated powerfully in subduing the minds of the unprejudiced, and in settling the decision of the lords [103].

Almost every future purpose and measure of the house of commons in this session, was dictated by their resentment for the rejec-

[100] 17th November. See particularly their address, 27th November 1680.

[101] Journ. Commons, November and December 1680; 4th, 5th, 6th and 7th January 1681.

[102] Lords Debates, vol. i.

[103] Reresby, p. 104.

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tion of their favourite bill. They addreſſed the king to remove the earl of Halifax from his councils [104]. They declared that it was in vain for his majeſty to promiſe a limited concurrence with the remedies which might be propoſed for the ſecurity of the proteſtant religion; that, unleſs he departed from his reſervation of the ſucceſſion of the duke of York, neither his perſon nor his proteſtant ſubjects could remain in ſafety [105].

Bill for aſſociating his majeſty's proteſtant ſubjects.

They renewed many ſevere reſolutions againſt the papiſts, and ordered a bill to be brought in, to aſſociate all his majeſty's proteſtant ſubjects, for the ſafety of his perſon, the defence of the proteſtant religion, the preſervation of the lives of proteſtants, and for preventing any papiſt from ſucceeding to the crown [106].

For repealing the penal ſtatutes againſt proteſtant diſſenters.

As a preliminary ſtep to the union of his majeſty's proteſtant ſubjects, it was neceſſary to repeal thoſe penal ſtatutes of Elizabeth and James, which expoſed the popiſh and proteſtant recuſants to the ſame ſevere penalties. While theſe ſtood unrepealed, many of the latter looked with indifference towards the iſſue of the diſpute concerning the excluſion. There even appeared ſome ground for hope, that their ſituation might be improved, by the event of a popiſh ſucceſſor, who, if he could not eſtabliſh his own religion, ſo repugnant to the inclinations of his people, would certainly, under the equitable pretext of a general toleration, procure for diſſenters of every ſect, a mitigation of thoſe ſeverities with which they were now oppreſſed. Experience of the indulgences, illegally granted by the diſpenſing power of the king, had ſoftened many of them, and rendered them more remiſs in concurring with the members of the eſtabliſhed church againſt the common enemy. In order to unite the counſels and exertions of the proteſtant intereſt, a bill to repeal the penal laws enacted by the ſtatute of Elizabeth quickly

104 Journ. Commons, 17th and 22d November 1680.

105 Ibid. 15th and 20th December.

106 Ibid.

paſſed

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paſſed in the houſe of commons, and obtained alſo the conſent of the peers[107].

The king had recourſe to a mean and fraudulent artifice, in order to ſuppreſs this meaſure, from which, as it was ſo ſtrongly recommended by reaſon and humanity, he durſt not openly withhold his conſent. The clerk of the crown was directed to withdraw the copy of the bill from a large parcel with which it had been arranged, in order to be preſented for the royal aſſent[108]. Such a ſhameful departure from dignity and honour, excited a juſt indignation, and refuted thoſe ardent profeſſions of lenity and toleration, under which he had hitherto concealed his partiality for the profeſſors of the Roman catholic religion.

The commons reſolve to withhold ſupplies.

The commons, in the courſe of this ſeſſion, rejected whatever applications were made for ſupplies, and at length boldly declared, that, unleſs the bill of excluſion was paſſed, they could give no farther pecuniary aſſiſtance to his majeſty, without endangering his perſon and the proteſtant religion. In order the more effectually to ſhut up every channel which afforded the ſmalleſt proſpect of relief to him, now reduced to the moſt preſſing circumſtances, they declared, that whoever ſhould preſume to advance money before-hand, or purchaſe any part of the revenue, ſhould for that act be amenable to parliament[109].

Angry votes againſt the court.

Aware of their approaching diſſolution, the commons loſt no time in paſſing ſuch votes as might leave upon the minds of the people a deep impreſſion of the indiſpenſible neceſſity of their determined and inflexible adherence to the bill of excluſion, and of the weight of that intereſt by which they were ſupported. The thanks of the houſe were voted to the city of London for their loyalty, their care, and their vigilant preſervation of the proteſtant religion[110]. The

[107] Journ. Commons and Lords, 26th November.

[108] Burnet, 1680.

[109] Journ. Commons, 7th January 1681.

[110] Ibid. 10th January 1681.

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conflagration of the city of London, which had happened many years before, was, by another vote, recalled to remembrance, and ascribed to the same malignant agency of the Roman catholics. They resolved, that it was the opinion of the house, that James duke of Monmouth had been removed from the court merely by the influence of the duke of York, and ordered an address to be presented to the king, to restore him again to favour and to office. They terminated their deliberations and existence with expressions of the warmest affection towards the protestant dissenters[m]. They were suddenly summoned to attend the king in the house of peers, and the parliament was prorogued from the tenth of January to the twentieth. In a few days after, it was dissolved.

The king summons a parliament

The necessity of his circumstances, more than any regard to the constitution, determined the king, after an interval of two months, to call a new parliament. Without immediate supplies it was impossible to preserve Tangiers; and the desertion of it must have proclaimed to Europe the scanty finances, and the degraded authority, of the English monarch. Considering how much the royal credit had been impaired by the late resolutions of the commons, with respect to the anticipations of the revenue, even the ordinary expences of the king's household and person required that rigid œconomy to which the former habits of Charles were but ill adapted. Should his expectations of supply be once more disappointed, should another parliament prove equally averse to a reconciliation and every scheme of a compromise with regard to the succession, he might then appeal to the reason and the compassion of his subjects, while with reluctance he was compelled to discontinue the meetings of parliament, and to deviate from the legal and the ordinary methods of supplying the necessities of government.

to meet at Oxford.

That the king preferred the first of these alternatives, and really wished to be reconciled to his parliament, may be fairly concluded

[m] Journ. Commons, 10th January 1681.

from

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from his resolution to change the place of meeting. The exclusionists in parliament had hitherto taken their measures in concert with the city of London, and, from the immediate presence of a body of friends so numerous and so opulent, they acquired that fortitude and vigour, which rendered them indifferent either to the promises or the threats, the frowns or the flattery, of the court.

Petition against holding the parliament at Oxford.

As if the anti-courtiers had been aware that they must fight with the disadvantage of ground if the field of political combat should be changed, an attempt was made to prevail with the king, to retract that part of his proclamation which had appointed Oxford for the place of meeting. A petition was presented to him, subscribed by sixteen peers, in which number were Monmouth and Shaftsbury, which mentioned the premature dissolution of the two last parliaments in strong terms of reprehension, and represented the inconveniences and dangers which must arise from the holding a meeting of the parliament at Oxford [112].

Parliament meets.

The parliament met at Oxford on the twenty-third of March one thousand six hundred and eighty-one. Sir William Williams was chosen speaker. The short duration of this session admitted of little variety of debate, and affords but few materials for political discussion. The king in his speech sharply reflected upon the obstinacy of the last parliament, in having spurned at concessions so reasonable and so generous as those which he had proposed for imposing limitations upon his successor, and said, that as he did not himself use arbitrary power, he would not permit it to be used by others [113].

Bill of exclusion.

The spirit of the commons was not broken or overawed by the change of place, or the menaces of the prince. The bill of exclusion was introduced by one of the London representatives in the name of his constituents [114]. A message was sent to the lords, desiring them to concur in an inquiry about the miscarriage of the

[112] Somers' Col. vol. i. p. 105.
[113] Journ. Lords, 21st March.
[114] Journ. Commons, 26th March. Grey's Debates, vol. viii. p. 309.

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bill relative to the repeal of the penal ſtatutes againſt diſſenters[115] They inquired into the proceedings of the laſt parliament with reſpect to the impeachment of lord Danby[116].

The king, from theſe expreſſions of the temper of the houſe, abandoned every hope of reconciliation. He eagerly laid hold of a diſagreement ſubſiſting between the two houſes, as a pretext for diſſolving this parliament. The commons had preſented articles of impeachment to the peers againſt Fitzharris, who had been lately apprehended for treaſon[117]. The attorney-general informed them in his majeſty's name, that he had already indicted Fitzharris, and intended to carry on the proſecution againſt him according to the ordinary courſe of law. As it did not appear that the court intended to favour the criminal, and as it was inſinuated that the commons wiſhed to accompliſh ſome factious end, by wreſting the proſecution out of the hands of the crown, the impeachment was refuſed, and Fitzharris reſerved for the common courſe of juſtice.

Diſagreement between the two houſes upon the caſe of Fitzharris.

The commons were inflamed with indignation at this refuſal; they reſolved that it was their undoubted right to impeach for treaſon, or for any other miſdemeanor; that a negative in the preſent inſtance was a denial of juſtice; and that it would be a high breach of privilege, in any inferior court, to preſume to judge in the caſe of Fitzharris[118].

Parliament diſſolved.

28th March.

The king, profeſſing the deepeſt concern for theſe animoſities, which, he ſaid, deprived him of all hope of ſucceſs and reconciliation, diſſolved the parliament.

115 Journ. Commons, 25th March. 116 Ibid. 117 Ibid, 26th March. 118 Ibid.

## C H A P. IV.

*Caufes of the Change in the Temper of the Nation from Loyalty to Difaffection.—Oppreffive Government in Scotland.—Extraordinary Licentioufnefs in Converfation and Writing.—Extreme Dependance of the Crown.—Inftability of the King, and Difunion of his Minifters.—Great Support of Oppofition.—The Abilities and Influence of their Leaders.—The Intrigues of France.—Obfervations.*

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AT the period at which we concluded our laft chapter, the whigs had attained to the fummit of popularity and of influence, and the power of the crown had funk into the loweft ftate of depreffion. The fame fervent fpirit ftill animated individuals, and, in fome future conflicts, prevailed againft the court; but the prejudices of the nation began gradually to return to the fide of loyalty, and the leaders of oppofition, overawed by the feverity of perfecution, and doomed to a private ftation by the fufpenfion of parliament, were deprived of that energy and fupport, which were neceffary to make any effectual impreffion upon the prerogative.

Caufes of the change in the temper of the nation from loyalty to difaffection.

In this place, therefore, it may be ufeful to interrupt our narrative, while we direct our attention to the principal caufes which co-operated with the events already recited, to change the temper of the nation, from loyalty to difaffection; and excited thofe diftrufts and jealoufies and tumults, which brought it to the verge of a rebellion. The detection of a popifh plot, real or imaginary, however alarming it might be, could not have produced fuch effects, without the aid of adventitious circumftances; which not only feemed to ftrengthen its evidence, but contributed, in other refpects, to depreciate the reputation and authority of the court, and to raife, in an op-

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Oppressive government in Scotland.

posite degree, the credit and influence of those who were at the head of the country party.

1. The conduct and the measures of ministry in Scotland, from the accession of the present king, exhibited an example of the most arbitrary and tyrannical system of government[1]. Instances of oppression

[1] The effects of the restoration upon the political state of England and of Scotland were widely different. In England, after that event, many of the laws in favour of the rights of the subject, which had been passed by the long parliament, were adopted and ratified by the legislature. In Scotland, by a rescissory act, all statutes passed after 1633, were abrogated; and by various positive acts, the prerogative of the crown was extended to a degree that never had been known or claimed by any of his majesty's ancestors. See a narration of the state of affairs in Scotland, sent by the earl of Middleton to Charles II. Miscellanea Aulica, p. 173.

The expressions which the Scotch authors, after the period of the restoration, use, when speaking of the prerogative, which to English ears sounded as the most fulsome adulation, were literally true with respect to Scotland. "The king is an absolute unaccount- "able monarch. All jurisdiction stands and "consists in the person of the king, pro- "ceeds from him, and is given and com- "mitted, as he pleases." Scotiæ Indiculum. Temp. Car.

There were two material alterations, the one in the ecclesiastical, the other in the civil constitution of Scotland, effected in the reign of Charles II. 1st, By the act of supremacy, the king's power, with respect to matters of religion, was made absolute and independent, either on the clergy, or the States of Scotland. 2dly, The militia of Scotland, formerly restricted to the internal defence of the country, was entirely subjected to the authority of the king; and might be removed to England or Ireland, for any service which he required.

Arbitrary monarchy or despotism, established in a neighbouring kingdom, and vested in the person of their sovereign, could not fail to be highly alarming to the people of England, though it had existed only in speculation, or descended to him from remote antiquity, and in the way of hereditary right. But when it was observed, that absolute power was an innovation, even in the sister kingdom (compare note [1], chap. x.): that it was suggested and made effectual by corrupt ministers; and that there was too much reason to suspect that it was agreeable to the temper and inclinations of their prince; what had they not to fear? Would not he, if ever he enjoyed opportunity, extend the same claims to England? But the bare theory or principles of the government in Scotland would not alone have excited such alarm in England. As we form our opinion of individuals in private station, and in the ordinary intercourse of life, from the habitual tenor of their actions, more than we do from any opinions or speculative system which they profess; so it is with respect to men who are vested with a public or magisterial character: our judgment and affections are influenced by the tendency of their executive measures and official conduct, rather than by the abstract principles and political maxims which are ascribed to them. If the government in Scotland had been conducted with mildness and temperance, the extravagance and danger of its claims might have been forgotten; but when the plenitude of prerogative, lately recognised by the legislature there, was exercised with wantonness and oppression almost unparalleled, under the most despotic prince; when its severities even exceeded its described and usurped pretensions, the

preffion and cruelty, which, from their vicinity and frequent intercourfe with Scotland could not be concealed from their fellow-fubjects in England, awakened the fympathy and afflicted the fpirits of the generous and the humane, and infufed uneafy apprehenfions into thofe who were jealous [illegible] their own liberties. The difcontented party in that kingdom, having found that the complaints and remonftrances, addreffed to the king, were neglected and difregarded, fondly turned their eyes towards the country party in England, as the only fource of redrefs and deliverance. The account which the difaffected in Scotland tranfmitted to the leaders of oppofition in England, with whom they held a conftant correfpondence, were induftrioufly, and in terms by no means extenuating, commu-

the people of England muft have been treacherous to themfelves and their pofterity, if they had regarded with an indifferent eye the calamities of their fellow-fubjects.

Examples of the oppreffive government in Scotland are fo various and fo enormous, that one is at a lofs to reduce them to any clafs, or to make any felection of them. There is not any fpecies of tyranny; fines, arbitrary imprifonments, military excutions, torture, &c.; that was not exercifed, nor was there any order of men who did not, in their turn, groan under the iron rod of arbitrary power. Above all, the perfecution of religious offenders in Scotland was conducted with fuch aggravations of perfidy and cruelty, as muft neceffarily have excited the indignation of all who heard of them, though they had not been immediately connected, either with thofe who inflicted, or with thofe who fuffered by them.

Bifhop Burnet compares the character of Charles II. to that of the Roman emperor Tiberius; and the great Mr. Hume animadverts with derifion upon the acrimony of the comparifon. If the bifhop had compared the oppreffion of Charles's government in Scotland, to that of Tiberius in any part of the empire, the obfervation would have been perfectly unexceptionable. Nay, perhaps, if the tempers of the emperor and the king had been inferred merely from acts of feverity which happened under their government, the decifion would not have turned out in favour of the latter. Mr. Hume again obferves, "that thefe violent proceedings in "Scotland, under the miniftry of Lauder-"dale, were very oppofite to the natural "temper of Charles." But the apology is in fome meafure withdrawn, when he again adds, in the next paragraph, from Burnet, "that Charles, after a full hearing of the "debates concerning Scots affairs, faid, "I perceive that Lauderdale has been guilty [illegible] many bad things againft the people of [illegible]otland, but I cannot find that he has "acted any thing contrary to my intereft." Mr. Hume with propriety adds, "a fenti-"ment moft unworthy of a fovereign."

The examples and effects of the oppreffive government of Charles in Scotland, are recited by the fame author, with fuch minutenefs, fidelity, and perfpicuity, and at the fame time in a manner fo elegant and interefting, that I have not prefumed to enter into the detail of them. Hume's Hiftory; vol. vi. chap. 2. 4. and 7.

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nicated to the people, who daily complained of the violent encroachments of prerogative, and trembled for the approaching ſubverſion of their own deareſt privileges[2]. The oppreſſion of Scotland was contemplated as a prelude to that tyranny, which, if not reſiſted with fortitude and with perſeverance, would, ere long, be brought home to themſelves. Conſolations, however, were blended with their fears, while precedents of danger, and the aids of reſiſtance, ſeemed to iſſue from the ſame fountain, and to be connected in the ſame view. From the diſcontents of a people brave and warlike, they indulged the hope of deriving ſupport in the day of extremity, and were encouraged to reſiſt every oppreſſive attempt with greater boldneſs and vigour. In conſequence of this view of an aſſociated intereſt, the parliament of England had repeatedly addreſſed the king to diſmiſs the duke of Lauderdale, the principal adviſer of arbitrary proceedings in Scotland[3]. The earl of Shaftſbury, the moſt illuſtrious champion of oppoſition, expatiated upon the grievances of Scotland in a memorable ſpeech, which he delivered upon the ſtate of the nation in the parliament of England. He endeavoured to impreſs his hearers with a veneration for the antiquity, the dignity, and the bravery, of the people of Scotland; he wiſhed to intereſt their affections by ties the moſt tender and endearing. It was not for ſtrangers and for aliens, but in behalf of their own ſiſter and neareſt relation, that he now attempted to awaken their compaſſion, and to engage their friendly interpoſition. If more generous principles could not move their hearts, yet of their own intereſts ſurely they would not be regardleſs. From the ſame adviſers and agents, the ſame meaſures might naturally be expected in every corner of the kingdom. If the poorer country was rendered a monument of peculation and of oppreſſion, could the richer one hope to eſcape the depredations of tyrannical and rapacious rulers?

25th March 1679.

[2] Ralph, vol. i. North's Examen.
[3] Journ. Commons, 13th January 1674, 14th April 1675.

If

If the nobility of Scotland were ſpoiled of their privileges, which, through a long and illuſtrious line of anceſtors, they enjoyed, how vain were it for the people of England to expect to maintain their independence, and Magna Charta, inviolate[4]? This ſpeech was immediately committed to the preſs, and ſeveral copies of it were ſent to Edinburgh by the firſt poſt, as a teſtimony of the ſenſe of that common intereſt and affection which united the diſcontented in both kingdoms, and of the reciprocal influence which each imparted to the other[5]. If the diſcontents in Scotland ſupplied fewel to thoſe flames of oppoſition which had begun to kindle in England, ſo, on the other hand, from the ſympathy and the countenance of ſo powerful a body as the leaders of the country party, the diſaffected in Scotland derived fortitude in ſtruggling againſt that oppreſſion, under which, if left to themſelves, they muſt have ſunk into deſpair.

Extraordinary licentiouſneſs in converſation and writing.

2. An unbounded licentiouſneſs, both in ſpeech and writing, prevailed after the diſſolution of the ſecond parliament, propagated ſuſpicions, and fomented jealouſies of the government, and eaſily diſpoſed the people to adopt any meaſures, however violent, which were ſuggeſted by the over-heated zeal of their leaders. When Charles aſcended the throne of England, the nation, wearied with the ſtruggles of a civil war, and the commotions which followed the ſubverſion of monarchy, panted for the re-eſtabliſhment of order and of tranquillity. Whatever difference of ſentiment ſtill prevailed with reſpect to ſubjects of a political nature, all ranks of men, after the reſtoration, ſeemed to agree to a ſpontaneous ſuppreſſion of them, and to a total ceſſation from controverſial hoſtilities. Divided as they were by religious opinions and denominations, they avoided, with a ſtudied caution, thoſe ſubjects which tended to revive diſputes and animoſities concerning politics. While the claims of prerogative were moderate, and the obedience of the

[4] Echard. [5] Ralph.

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subject prompt and cheerful, it appeared an idle and dangerous curiosity to inquire how far regal authority might be extended, and where the resistance of the subject ought to begin. The king's declaration of indulgence to the dissenters, published in the year one thousand six hundred and sixty-two, as it was relinquished upon the remonstrance of parliament, so it was considered as an unguarded act of a benevolent heart, rather than any indication of a tyrannical spirit, or of an over-rated estimation of the powers of prerogative.

16th March 1672.

But when the same claim to dispense with law, was again resumed, in conjunction with the most arbitrary measures; when the king set his parliament at defiance, by announcing his determination of adhering to his declaration; when the odious doctrines of passive obedience and of non-resistance were imposed upon the subjects by the solemnity of an oath, and all freedom of inquiry and of debate suppressed, by which the errors of government are controlled and the spirit of the constitution is invigorated; then it was that inattention became criminal, and acquiescence stamped with cowardice and disgrace. The people were invited, as they tendered their dearest interests, to survey, with a jealous eye, those land-marks which divided the property of the different constituent powers of government. The spirit of inquiry was roused; the press teemed with political publications; questions of government became the subject of common conversation; and, at last, produced a declaration of sentiments which characterised parties [6]. Two acts, which had been passed in the second parliament of Charles, one for regulating the press, the other for preventing abuses in printing seditious books, were found to have been only of limited duration; and, by fair and legal construction, to expire with the first session of the third parliament of Charles [7].

29th Dec. 1675.

A proclamation was issued by the crown for the suppression of coffee-houses, which were considered as semina-

[6] See Publications of the Times. State Papers. T. C. 2. Somers' Col.

[7] Journ. Commons, 2d April 1679.

ries

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ries of ſedition and offices for the fabrication of political lies, and the meaſure was juſtified by a ſtrained interpretation of the law[8]. The temporary advantages, which the crown gained by the ſuſpenſion of argumentative hoſtilities, were more than counteracted by the additional violence, by which they broke forth when allowed their full ſcope. As the torrent, which has been for a while ſtemmed and obſtructed, gradually collects accumulated force, and, at laſt, bearing down every reſiſting mound, ruſhes forward with more rapid and expanded deſolation; ſo thoſe apprehenſions of grievances and dangers, which might have evaporated with utterance, ſwelled and multiplied under the preſſure of conſtraint, and, in the day of toleration, came forth with all the exaggerated horrors of a gloomy imagination. Every incident was improved, every prejudice wrought upon in the moſt artful manner, in order to bring into diſcredit the late meaſures of government, and to blacken the characters of thoſe who purſued them. To thoſe who were fired with zeal for the honour of their native country, ſhe was held forth as the deriſion of foreign nations: popery and arbitrary power were ſounded in the ears of thoſe who were friends to liberty and the proteſtant religion. The Roman catholics, already too much the objects of popular odium, were repreſented as the inſtruments of the late conflagration in London, and of all the calamities which had befallen the nation ſince the commencement of the preſent reign. Theſe, however, it was aſſerted, were but ſlight, in compariſon of the deſtructive ſchemes which were now forming[9]. Blood, and horror, and deſolation, were repreſented as hovering over the nation.

To give more regular and more extenſive influence to this plan of detraction, clubs and aſſociations were formed, which met at ſtated times in different quarters of the city[10]. The object of theſe clubs was

[8] North's Examen, p. 138.

[9] See Publications of the Times, particularly an appeal from the country to the city.

[10] The moſt celebrated of theſe was the *Green Ribbon Club*, which conſiſted of two hundred perſons, devoted to oppoſition and to the

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was to court and to inveigle proselytes to opposition, and to seek after the fittest instruments to co-operate with them in disparaging and embarrassing measures of government. They were charged to listen with open ears to every surmise of public danger, to every story disgraceful to the character of the king and of the duke of York, and to disperse them with the utmost expedition throughout the kingdom. Even the characters of the most inconsiderable partisans of the court were scanned with malignant criticism, and their influence at elections often defeated, by fictitious or exaggerated aspersions transmitted to their electors. The principal members of those associations maintained an intercourse with foreign ministers, and, by their aid and information, were enabled to communicate such descriptions of foreign affairs as seemed best fitted to answer the views of their party [11]. The success of these various artifices of the country party was fully answerable to their most sanguine expectations. From the city of London, as from a poisoned fountain, issued those streams, which communicated disease and infection to the remotest provinces of the kingdom. Faction, discontent, and tumult, universally prevailed.

It is true, at the same time, that the court was not less active, or more delicate about the methods employed to sustain its authority, and to blast the projects of its antagonists. The judges were made the instruments of royal vengeance; forced constructions were put upon expressions contained in publications against the court, and punished with unconstitutional severity [12]. Nor were the writers for

the bill of exclusion. Sir Robert Payton, who incurred the censure of the house of commons for having made his peace with the duke of York, being questioned by the house, informed them, that the duke of York said to him—" You have been against me, sir Robert, you " was a member of the Green Ribbon Club."

He was afterwards expelled the house of commons for being reconciled to the duke of York; and the speaker, alluding to his former character, addressed him in these words—" You " are fallen from being an *angel* to be a *devil*; " you were bustling in this house and in " coffee-houses; your country chose you to " be an example to other men, &c. &c." Grey's Debates, vol. viii. p. 137. 149. — Reresby.

[11] North's Examen.

[12] Journ. Commons, 22d December 1680. State Trials, vol. iii.

the government restrained by any respect to truth or decorum. The basest motives of conduct were ascribed to the most respectable persons who acted upon the side of opposition. Many of the lawyers officiously obtruded their opinion upon matters in dispute between the king and his subjects, and with sycophantic adulation supported and approved of the arbitrary measures of the court. Both of the universities reprobated the doctrines laid down in patriotic publications, and sustained the arbitrary claims of the court with the sanction of classical authority[13]. To the reproach of the established church, it must be owned, that truth and patriotism were often sacrificed to the view of preferment, while the maxims of a religion friendly to the original rights and the happiness of mankind, were perverted to favour political principles, tending to degrade and to oppress the human race[14]. It is certain, however, that the country party gained more by the abuse of liberty, and the licentiousness of polemical authors, than the court did by the arbitrary extension of law, and the flattery of its literary retainers. If equal abilities and industry had been brought forward upon both sides, yet publications, which studied the interests and flattered the prejudices of the people, and were moreover recommended by the never-failing attraction of novelty, must have obtained the advantage, by more deeply impressing the understanding, and by agitating the passions of men.

Extreme dependence of the crown.

3. The extreme dependence of the crown, and its narrow influence, still farther diminished by the instability of the king, and the disunion of his ministers, removed the awe which must have controlled an opposition to a powerful and steady prince, supported by an administration united among themselves, and consistent and firm in the prosecution of the measures which they adopted. At the period of which we now treat, the authority of the crown of England depended more upon opinion and affection, ever variable and

[13] See Address of the Templars of Oxford and Cambridge. State Papers, T. C. 2.
[14] Burnet, 1679.

uncertain,

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uncertain, than it did upon the poſſeſſion of thoſe inherent faculties and wide dependencies, which, by operating upon the underſtanding and the intereſt of men, produce a more uniform and efficient influence. While inequality of wealth and fortune prevailed to a greater degree, and ſubordination of ranks was diſtinguiſhed by wider intervals, more implicit reſpect was paid by perſons of inferior to thoſe of ſuperior ſtation; and the higheſt ideal dignity was, in general, annexed to the office and perſon of the ſovereign. The party of the tories, which comprehended the greateſt proportion of perſons of landed property, looked up to the throne with idolatrous veneration, and maintained, in theory, maxims concerning the prerogative, repugnant to the principles of a mixed government. But there were other circumſtances which counterbalanced theſe prejudices, and rendered the power of the crown not leſs formidable, but more precarious and feeble, than it has been, ſince the privileges of the ſubject and the prerogative of the prince have been aſcertained and regulated by the bill of rights. A ſcanty revenue, obtained with difficulty and after much ſolicitation, and levied not without conſiderable deductions, afforded the prince a penurious ſubſiſtence, without leaving any fund for thoſe gratuitous donations, which, even when they are beſtowed with the pureſt motives and unimpeached propriety, extend attachments to the court, by awakening gratitude for paſt and expectation of future favours. The enlarged compaſs of the Britiſh empire has increaſed the ſtock of royal favours, and created new dependencies and new additions to the power of the crown. An extenſive commerce has introduced ſtreams of wealth, which enable the nation to ſuſtain unprecedented burdens of debt with untainted credit, and engage its moſt wealthy and powerful inhabitants to uphold the energy of government, and to maintain the line of ſucceſſion in its due courſe. A ſtanding army, numerous and well-diſciplined, operates to the ſame effect, and affords the king and the government a ſecurity againſt inteſtine tumults, more effectual than

that

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that servile awe which was obtained by the examples of vengeance, inflicted under the authority of corrupt judicatories.

In proportion as the power of the crown was dependent and stinted in its root, the delegation of its authority was impotent, contemptible, and easily shaken by the attacks of opposition. In the reign of Charles, not only general subjects of public concern, but such measures as belonged properly to ministerial departments, were introduced in both houses by private members unconnected with the court. Sometimes the most obnoxious measures pursued by the crown were withheld from the deliberation of parliament, and often carried on, in the most clandestine way, without the participation, or privity of ministers themselves. In order to put a stop to measures offensive to him, the king was forced either to have recourse to premature prorogations, or the exercise of his negative power, by which the course of important business was interrupted, and the discontents of the nation excited.

Instability of the king, and disunion of his ministers.

4. Under so many disadvantages, one would have imagined, that internal union between the king and his ministers must have appeared to be an object of the first consequence. Through the whole course of this reign, however, this object seems to have been but little attended to, or at least never to have been obtained. During the first and most peaceable period of his government, the king frequently departed from those measures of which he had approved, in concert with his ministers. The members of the cabal, selected for the prosecution of the most dangerous designs, were but partially intrusted with the king's secrets, and imperfectly informed concerning the business in which they were employed, either to advise or to assist him. After the dissolution of the cabal, lord Danby, at the head of the treasury, and lord Arlington, president of the council, watched every opportunity to undermine each other, and espoused different opinions upon questions relative to the public business. The new council, suggested as a healing measure, after the fall of lord Danby,

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was composed of persons opposite in their sentiments, and hostile to one another, from the remembrance of past injuries. Hence it soon appeared necessary to form a smaller combination of the council, in order to retain any decent degree of respect to ministry, or consistency in their decisions. Lords Essex, Sunderland, Halifax, and sir William Temple, were, at first, unanimous in their sentiments, and bore an ascendency in the council[15]. They, however, soon differed in opinion about the bill of exclusion, and the dissolution of the second parliament. The precipitancy of the king, in taking measures both without, and contrary to the advice of the council, lost him their confidence, and threw the influence of its principal leaders into the scale of opposition. Persons high in office widely differed with respect to the plans which ought to be pursued, in order to avert the dangers with which the nation was threatened, by the succession of a prince attached to the Roman catholic religion. Lord Shaftsbury and sir William Temple, from different motives, opposed the expedients which the king offered instead of the bill of exclusion. The former, president of the council, was at the head of that party which proposed an absolute exclusion, and expressed himself, in every stage of that debate, in terms highly disrespectful to the duke of York. Lord Halifax, at the same time in office, contended for the scheme of limitations upon a popish successor. Lord Sunderland, secretary of state, first adhered to lord Halifax's opinion, but afterwards changed it, and became the most strenuous advocate for the bill of exclusion[16]. Such discordant sentiments among the ministry and the council, in matters of the greatest moment, betrayed evident symptoms of a feeble government, and of a declining prerogative; raised the spirit of the anti-courtiers; and urged them to more daring and more violent plans of assault. The versatile disposition of the king, exemplified in the preceding

[15] Temple's Memoirs. [16] Burnet. Reresby. Chandeler.

years

years of his reign, and his predominant love of eaſe, co-operated with all theſe cauſes, and impreſſed the minds of the country party with a full perſuaſion, that obſtinate and indefatigable perſeverance would finally enſure the accompliſhment of their deſigns, and the pre-eminence of their influence.

Great ſupport of oppoſition.

5. The favourers of the excluſion derived courage and boldneſs from the patronage of perſons of the firſt rank and influence, who had no oſtenſible obligation to interpoſe in the buſineſs of the nation, as well as from the abilities, the activity, and the intereſt of thoſe, who avowedly ſtood forth as the champions of their cauſe. The States of Holland ſent memorials to their agent in London, inſtructing him to intreat the king, in their name, to aſſent to the bill of excluſion. Such a partiality to the ſentiments of oppoſition, ultroneous and intruſive, was well underſtood to have been encouraged by the approbation, or even in the firſt inſtance ſuggeſted by the advice, of the prince of Orange[17]. The deſire of conferring an obligation upon a perſon, who, by the very meaſure he encouraged, was brought nearer to the crown, and the proſpect of preferment and of reward flowing from his gratitude, could hardly fail to quicken the zeal, and to multiply the number of the excluſioniſts. The ducheſs of Portſmouth, flattered with the hope of raiſing her ſon, the duke of Richmond, to the throne, attempted by her charms to ſooth, and by her importunity to conſtrain the king to comply with the deſire of the nation, by excluding his brother from the ſucceſſion[18].

The abilities and influence of their leaders.

Among the champions of oppoſition to the court, the earl of Shaftſbury, the duke of Monmouth, and lord Ruſſel, deſerve to be particularly mentioned, on account of the great acceſſion of ſtrength which each of them brought to the cauſe he patroniſed. Of the abilities of lord Shaftſbury I have already ſpoken, and need not now recount the advantages his party derived from the moſt ardent and indefatigable exertion of them. Though he was, in reality, the head or the

[17] D'Avaux.

[18] Burnet.



leader

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leader of oppofition, his difcernment pointed out to him the propriety, as well as the advantage, of affigning to the duke of Monmouth the nominal precedency in the party he efpoufed. With Monmouth he formed the moft intimate connection: to his promotion he profeffed to devote his talents. The pretenfions which Monmouth affumed, and the addrefs with which he managed them, infpired his party with boldnefs, and fuggefted the moft flattering expectations of fuccefs[19]. He was mafter of all thofe qualities which feldom fail to attract attachment, even upon flight acquaintance. His perfon was comely and well-proportioned: he excelled in feats of agility, which improve and difplay an external gracefulnefs, and by the affability of his converfation he won the affections of the people. More important qualifications recommended him as the fitteft perfon to be placed at the head of the whigs, and to be fet up as a rival in the fucceffion to the throne. He profeffed a warm zeal for the proteftant intereft; he was beloved by the army, and popular in the city of London; he experienced the ftrongeft teftimonies of the king's partial affection; he was created a peer, made a privy counfellor, and promoted to the rank of commander in chief of his majefty's forces. A rumour was induftrioufly fpread, that Charles had been privately married to his mother, and that, by proximity of blood, he ftood firft in the line of fucceffion[20]. From all thefe circumftances, men of fober reflection and prudent conduct confidered Monmouth's fucceffion to the throne as an event by no means improbable. Some were even perfuaded, that by favouring his ambitious projects, they were gratifying the private wifhes of the king; and that whatever he pretended, yet he fecretly wifhed to find a plea in the neceffity of his affairs, for facrificing the intereft of his brother to the dictates of fond affection to his fon. The friends and the confidents of Monmouth cherifhed this delufion; they had the boldnefs to declare, that his fucceffion would be acceptable to the king: they made ufe of it as an

[19] Echard. Rerefby. [20] Rerefby.

argument

argument with the king of France, to prefer the connexion of the whigs, and to co-operate with them in eſtabliſhing the ſucceſſion of Monmouth[21]. The duke of York, notwithſtanding the ſtrong promiſes he received from his brother of adhering to the lineal ſucceſſion, beheld his attachment to Monmouth with painful anxiety[22]. The banifhment and the diſmiſſion of Monmouth from all his offices; the repeated reſervations of the king in behalf of his brother, while he profeſſed his willingneſs to yield to every other expedient for ſecuring the proteſtant religion; the moſt ſolemn declaration in the privy council, that he never had been married to Monmouth's mother; were inſufficient to efface that combination of impreſſions which diſpoſed a great part of the nation to reſiſt the meaſures of the court.

The reſpectable character of lord Ruſſel, not leſs than the popular manners and ſpecious pretenſions of the duke of Monmouth, brought a mighty reinforcement of intereſt to the party with which he acted. There is hardly any ſituation in which virtue ceaſes to attract eſteem, or to be uſeful to the connexions of the perſon to whom it is aſcribed. There was not a perſon in the age in which he lived, more univerſally eſteemed than lord Ruſſel; his candour, his integrity, and his firmneſs, were applauded by every rank, and by every party. The verſatility and the violence of Shaftſbury might well excite ſuſpicion of the motives, which induced him to inliſt under the banner of oppoſition. If the capacity of Monmouth had been more extenſive, and his judgment more penetrating than they were admitted to be, yet the intereſt he had, in defeating the eſtabliſhed courſe of ſucceſſion, was too obvious to give any farther weight to his political opinion, than what might be collected from arguments, which fell within the comprehenſion of every individual. But the great reputation of lord Ruſſel, his eſtabliſhed credit for honour and for patriotiſm, inveſted his opinion with a high degree of authority, and

[21] Dalrymple, Ap. p. 280.

[22] Life of James.

biaſſed

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biaſſed the inclinations of thouſands of the moſt virtuous citizens. When it was obſerved that lord Ruſſel was not merely acceſſory to the meaſures carried on againſt the court, but that he was the prime mover and moſt *active* agent in them; and that if ever he departed from that gentleneſs and moderation, which rendered him the favourite of all with whom he converſed, it was in the proſecution of his ſchemes of oppoſition to the court, his antagoniſts were ſtaggered and diſcouraged, while his adherents were inſpired with a conſciouſneſs of dignity and of rectitude, which prepared them to ſubmit to every difficulty and danger in ſupport of the cauſe which he patroniſed. Thus, by the junction of various and even of oppoſite intereſts, and by the internal aid of perſons moſt illuſtrious for abilities, for rank, and for virtue, the excluſioniſts were enabled to protract a ſtruggle againſt the ſovereign, which muſt have quickly come to an end, if it had been maintained by the unaſſiſted influence of thoſe who were actuated by intereſt, reſentment, or the contracted ſpirit of a party.

The intrigues of France.

6. The intrigues of France contributed to exalt and to ſtrengthen faction, to embarraſs government, and to keep alive the tumults and internal diſſenſions of England, at the period we have reviewed. Lewis the fourteenth, inſtigated by an inſatiable thirſt for military glory, as ſoon as he received the reins of government into his own hands, began to execute thoſe plans for the extenſion of his territories, which had been inſtilled into his mind with the firſt rudiments of his education[23]. The frontier towns in the low countries adjacent to the borders of France, were the firſt obſtructions to be removed, in order to open a wide field for his warlike exploits. The frivolous complaints upon which he was to break with Holland, were not ſufficient to diſguiſe his ambition, ſo as to impoſe upon the underſtanding of Charles, who, upon that event, as Lewis foreſaw, would be called upon, by the

[23] Colbert.

ties of blood and the obligations of juſtice, as well as by the predominant inclinations of his people, to employ mediation and arms in behalf of his injured relation. The character and the circumſtances of the king of England ſuggeſted to his crafty neighbour another method for the ſecuring of his neutrality, or even for the obtaining his direct aſſiſtance, to ſubdue the States of Holland. Profuſion, uncontrolled by any principle, either of probity, or of honour, renders the influence of corruption irreſiſtible. A large penſion was offered by the king of France, to ſupply the neceſſities of Charles, and to retain him in his intereſt[14]. The perſonal ſolicitation of a ſiſter whom he loved, ſeemed to enhance the generoſity, or to palliate the indignity of the offer: the violation of the triple alliance and a ſecond Dutch war were the acknowledgment and return demanded of the king of England, for proſtituting his dignity, by becoming the penſioner of France. The general averſion of the nation to that war, the ſcanty ſupplies granted by parliament, and the increaſing diſcontents of his people, at laſt ſubdued the fortitude of Charles. He was compelled to abandon his connexion with France, and to conclude a peace with Holland.

If Charles had adhered to the ſyſtem of politics which he then adopted, and fulfilled the engagements of the triple alliance, he would equally have conſulted his own honour and the intereſt of his kingdom: he would have been reſpectable in the eyes of foreign ſtates, and would have regained the affections of his people. His original partiality to France, cheriſhed by the influence of miſtreſſes and of corrupt miniſters, and the proſpect of enlarging his power, again rendered him an eaſy prey to the intrigues of Lewis. A political ſyſtem, ſo derogatory to their honour, and ſo repugnant to their affections, excited a general indignation among

[14] Dalrymple, Ap. p. 14, &c.

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the people in England. The parliament caught their ſentiments and their ſpirit, to which they added a zeal for the church of England, endangered by the ſuſpected defection of the royal family, as well as by the alliance with the court of France. From this period, the humbling the power of that kingdom was purſued by the parliament with determined perſeverance, which had nearly attained its object, in ſpite of the open reſiſtance and double-dealings of the court. This ſucceſs exhibited, to Lewis and to all ſurrounding ſtates, a diſplay of the power of the Engliſh parliament. United and firm, it could not fail to maintain the abſolute direction of the political ſyſtem of Europe. It was in vain for Lewis ever to hope for the aid of an Engliſh parliament, in contradiction to their declared ſentiments, and the moſt inveterate prejudices of the nation. What could he do? By diſuniting parliament, by gaining over to his intereſts the leaders of parties, by fomenting inteſtine diſcords, he might ſtill ſecure the neutrality of England, or render her incapable of impeding the career of his uſurpations on the continent. His agents were inſtructed to addreſs the popular leaders in England, by every argument calculated to flatter their principles, awaken their fears, allure their ambition, and captivate their avarice[25]. The king's thirſt for independent power, and his deſire of maintaining a ſtanding army, the inſtrument for the accompliſhment of it, were repreſented as ſerious grounds of alarm. Beneficial amendments in the conſtitution might be obtained, provided they ſo far kept meaſures with France as to prevent her interference to ſecond the arbitrary views of Charles: money was ſcattered with a profuſe hand: the king and the country party were alternately the dupes of the intrigues of the French court, as beſt promoted her deſigns[26]. Charles and his parliament were divided:

[25] Novem. 1677. Dalrymple, Ap. p. 129.

[26] Grey's Debates, vol. vii. Lords' Debates, vol. i. Pamphlets of the Times, particularly, *Fiat Juſtitia ruat mundus.* Dugdale's Reply. The Caſe put concerning the Succeſſion, by L'Eſtrange. A ſeaſonable Addreſs to both Houſes of Parliament, concerning the Succeſſion.

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the honour of the Engliſh nation was tarniſhed; and its true intereſt neglected. If Charles and his parliament had not been led by the artifices of France to cheriſh the idea of a ſeparate and an incompatible intereſt, neither of them could have run into thoſe exceſſes which brought the conſtitution to the verge of ruin. If Charles had expected no ſupplies but from the liberality of his parliament, he never would have dared to purſue arbitrary meaſures, or to make innovations upon the conſtitution. If the leaders of the popular party had not been bound by engagements to France, they would not have withheld ſupplies for entering into a war which afforded the faireſt opportunities for controlling her power; they would not have made patriotiſm ſubſervient to private reſentment, by the proſecution of a miniſter hoſtile to her intereſt; they would not have proceeded to that extremity of violence which again turned the affections of the nation, and armed the court with an authority which almoſt ſubverted the conſtitution.

At the ſame time, after a full inveſtigation of all the circumſtances which attended the connexion of the king and the popular leaders with the court of France, the engagements it involved, and the conſequences it produced, we cannot heſitate in deciding to which of theſe the greateſt proportion of guilt ought to be aſſigned. If the queſtion be put, Whether Charles or the country party purſued the true intereſt of the nation? the anſwer is obvious. The former wiſhed to render England dependent upon France, to change the conſtitution, to govern without parliaments. The country party were alarmed, and ſteadily oppoſed his deſigns; they were loyal to the king, but true to the conſtitution. Such were the original, diſcriminating principles of Charles and the oppoſition; but when factions are once formed, they think themſelves juſtified in proceeding to extremes, becauſe their adverſaries do the ſame. Though under the influence of party ſpirit, wrong ſteps will be taken, ſtill, however, the original principle of conduct may be pure and reſpec-



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table. The patriots, by connecting themselves with Lewis, widened the breach between him and Charles. It is obvious, that Lewis never expected the same assistance from the leaders of opposition, which he expected from Charles; for his great object, even after he had intrigued with the whigs, was to prevent a meeting of parliament; and this was the case after opposition had degenerated into faction, in the third parliament: a plain evidence, that there was so much patriotism still left among them, as to cause Lewis to distrust them, and to prove that their connexion with him was unnatural, and originated in a distrust of the steadiness, and a jealousy of the intentions, of the king[27].

[27] Dalrymple, Ap. passim; particularly p. 297.

## CHAP. V.

*Motives of Opposition to the Court.—Dread of Popery.—The Bill of Exclusion.—Arguments for it.—Arguments against it.—Reflections upon the Conduct of Opposition in the preceding Period.*



FROM the dissolution of the second parliament of Charles, the terror of popery was the professed principle, which actuated in every parliament the party in opposition to the court. The bill of exclusion was suggested at an early period, and pertinaciously adhered to, as the only measure by which the impending dangers of popery, and of arbitrary power, could be averted. Were the fears of the nation well founded? Was the remedy proposed equitable, prudent, or even practicable; or did the method by which it was enforced promise success, or prove consistent with every duty of the man, the subject, and the citizen? According to the solution of these questions, we must form our opinions concerning the sagacity, the patriotism, and the virtue, of individuals, and of parties, so far as relates to their public conduct.

Motives of opposition to the court.

In order to form a candid judgment of the morality of actions ascribed to individuals, or to societies, in ages or countries remote, it is necessary to pay a strict regard to their peculiar situation, and to the predominant prejudices connected with it. Considering the formidable apprehensions of the Roman catholic religion, which were excited by recent facts, and which pervaded all the reformed nations; the intrigues and the active spirit of jesuits, surrounding the royal family; the avowed conversion of the next heir of the crown to popery; the notorious bias of many of the first rank to the same religion, and the suspected faith of the king; it is not a

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matter of surprise, that fearful suspicions haunted the imaginations of his protestant subjects, and disposed them to listen to rumours of plots, and of conspiracies, imputed to the friends and emissaries of Rome. It requires no affectation nor stretch of candour to admit, that the people at large gave full credit to the plot. In proportion to the natural timidity of the mind, or the strength of prejudice, persons of more liberal education and rank are carried down with the torrent of popular delusion. A tale often repeated, and familiar to the ear, loses the absurdities with which the first recital of it shocks the hearer; and, by fixing an indelible impression upon the imagination, at last distorts the judgment. Faith is fortified by the association of numbers, and the indolent acquiesce in universal credit, as a solid answer to objections, which would have been sufficient to have overthrown opinions less popular. In a free government, men of a factious spirit first cherish the weaknesses and the prejudices of the people, and afterwards employ them, as the fittest engines to promote their corrupt views of gain and power. There are many persons, by no means actively and corruptly ambitious, who are yet destitute of fortitude to resist those measures and those prejudices of which they disapprove; nay, rather than forego the tranquillity they have derived from their silence and neutrality, they at last make the transition to an open concurrence with the iniquity of the times. It is not to be doubted, that, from these sinister motives, the fears of the people were encouraged, their passions inflamed, informers courted, witnesses tampered with and suborned, and innocent blood shed, with that profusion and wantonness, which never could have flowed from a conscientious, though a greatly deluded, zeal.

Dread of popery.

But supposing that no popish plot had existed, or entered into the imagination of the people, yet, had not the friends of the protestant interest solid grounds of jealousy and terror? Was not the danger, arising from the influence of a popish successor, obvious to every unpreju-

unprejudiced eye, and alarming to every true friend of the eſtabliſhed religion and government? Did not the love of liberty conſpire with religious principle, to recommend every precaution and expedient that was attainable, in order to preſerve inviolate, thoſe ſacred and thoſe civil privileges which conſtituted the glorious pre-eminence of an Engliſhman?

Bill of excluſion.

The bill of excluſion appeared the moſt effectual remedy to defend the aſſociated intereſts of liberty and the proteſtant religion: it was therefore adopted with zeal by the commons, applauded by the great body of the people, and inſiſted upon with obſtinacy, in defiance of the ſecret intrigues, and the open intreaties and remonſtrances of the prince.

A review of the arguments adduced on both ſides of this queſtion, by far the moſt intereſting that occurs in the courſe of this reign, is neceſſary, in order to attain to a clear and comprehenſive view of the ſtate of politics and of the character of parties.

Arguments for it.

On the one ſide it was pleaded, that dangers extreme and unprecedented, called for new and extraordinary meaſures of defence. Was it poſſible that any man could be ſo blind, as not to apprehend the utmoſt danger to liberty and to the proteſtant religion, from the ſucceſſion of a prince devoted to the faith and the court of Rome? Nothing but an overgrown pitch of zeal and of bigotry could account for the temerity of the duke of York, in venturing to make an open profeſſion of this religion at ſo critical a conjuncture, and at the hazard of being hereafter excluded from the ſucceſſion to the crown. What activity might not be expected from ſuch zeal, and what ſucceſs might not activity, armed with power, be able to atchieve? What was to be expected, but that the royal favours would be regulated and diſpenſed by the dictates of a miſguided conſcience; and that the bench, the navy, and the army, would be quickly filled with proſelytes to the Roman catholic faith; nor would the members of the eccleſiaſtical eſtabliſhment

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remain uncontaminated. If thofe who held the moft dignified offices in the church were little alarmed about the fate of their religion; if they were more than other men obfequious to the will of the court; if they had hitherto afforded the moft fteady fupport to the intereft of the duke of York; was it not a melancholy prefage of a complaifance, which might one day furrender the effential rights and privileges of the proteftant church? Nor was it to be doubted, but that under the aufpices of a Roman catholic prince, new members would obtrude into the facred function, with the treacherous purpofe of fubverting that very intereft which they folemnly engaged to protect. Under a popifh prince, his favourite religion muft every day be gaining ground. Both ancient and modern hiftory exhibited fufficient examples to prove, that the religion of the prince foon became the religion of the people. In the fhort period of the reign of Julian, the churches were demolifhed, the temples arofe with renewed fplendour, and were replenifhed with images. Chriftianity declined apace, and the darknefs of idolatry again overfhadowed the nations. While the Roman empire was agitated with the Trinitarian controverfy, with what ftrange flexibility did multitudes, in obedience to the imperial edicts, turn from Athanafianifm to Arianifm, and from Arianifm to Athanafianifm? More recent and domeftic examples led to the fame conclufions. Upon the fucceffion of queen Mary, bifhops, privy counfellors, and many of every rank, avowed her religion, who had paffed for found proteftants in the reign of Edward the fixth. Upon the death of Mary, and the acceffion of a proteftant princefs, an inverted revolution of religious fentiments took place.

New converts to every religion have always been found moft eager and moft induftrious to propagate their favourite opinions. Where a prince had imbibed the principles of the Roman religion from the prejudices of an early education, natural mildnefs

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of temper might perchance check its violent and intolerant ſpirit. Various occupations and amuſements might divert the mind from yielding to the peculiar tendencies of the faith with which it was impreſſed: but, when a perſon born a proteſtant, had voluntarily made choice of the Roman religion, was not this a certain indication of a temper congenial with its ſpirit? What was to be expected, but that ſuch a one would entirely ſurrender his mind to every impreſſion, and to every tendency it was formed to promote; and, as far as his influence extended, advance them with implicit zeal?

It was impoſſible, it was argued, that any expedients, deviſed by human wiſdom, could guard againſt ſuch manifold and ſuch preſſing dangers. Like the cords of the Philiſtines, quickly broken by the returning ſtrength of the Jewiſh champion, all limitations and reſtrictions, whatever might be expected from them at a diſtance, would diſappear at the touch of the royal ſcepter: nor could the moſt ſolemn promiſes and aſſeverations be relied upon, when pronounced by the ſame lips, and ſubſcribed by the ſame hand, which aſſigned to the ſupreme head of the church the power of diſpenſing with moral obligation; and even held it a meritorious deed to break faith with heretics. Whatever obedience the prince exacted from his own ſubjects, he would think himſelf bound to yield to the ſpiritual ſovereign, to whom he had voluntarily devoted himſelf. The temper, the diſpoſitions, and the wiſdom of the prince, however ſuperior they might be, could be of no avail to his ſubjects. The pope, the ſovereign of the ſovereign, would rule with abſolute ſway in the councils of the Engliſh cabinet.

There was no occaſion to reſort to foreign hiſtory for examples of the melancholy effects of ſuperſtitious tyranny upon the minds of its royal votaries. In the annals of the Britiſh ſtory, there is not an example of conduct more diſgraceful to royalty, than that

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of queen Mary to the men of Suffolk. Did not ſhe ſolemnly promiſe, that they ſhould enjoy the free exerciſe of their religion? They too eaſily believed her, and became the chief inſtruments of ſeating her upon the throne. Faith and gratitude were violated: the pangs of remorſe and the ſtruggles of honour were extinguiſhed, by the ſtern dictates of prieſtly authority; and the firſt exertions of her power were diſplayed, by conſigning to the flames the very men who had conferred it. The gunpowder-plot, the maſſacres in Paris and in Ireland, were tremendous evidences of a ſpirit of violence, which no ties, neither ſacred nor civil, were ſufficient to fetter or to tame.

Precedents of law were not wanting to juſtify a meaſure recommended by reaſon, neceſſity, and fear. The right of Henry the fourth was entirely founded upon an act of parliament: the right of Henry the ſeventh was alſo eſtabliſhed by an act of parliament: and did not his ſon Henry the eighth virtually acknowledge, that the power of altering the ſucceſſion was veſted in parliament, when he applied for a ſtatute, as often as his fickle affections led him to change the ſucceſſion of the crown? In the firſt year of queen Elizabeth, parliament recognized her title. Did they not repeatedly extend their authority to the future ſucceſſion, by enacting, that whoſoever ſhould claim their title to the crown during the life of Elizabeth, ſhould be rendered incapable of ſucceeding to it?

To thoſe, who had embarked on the ſide of excluſion, there appeared no ſafety but in ſucceſs. They were in a ſituation like that of an army which had penetrated far into an enemy's territories, and were encompaſſed with barbarians, who knew not what it was either to give or to take quarter. Their own deſtruction, or the deſtruction of the enemy, were the only alternatives left to their choice. By promoting the bill, they had provoked the vengeance of the duke of York; and ſhould they fail of ſucceſs, they muſt finally experience

experience the full weight of that power which they wished to annihilate[1].

Arguments against it.

On the other side it was argued:—We are not to judge of the wisdom of any measure by the importance of the end which it proposes, or even by its fitness to obtain that end. A previous question occurs: Is the measure itself attainable? are there no intervening difficulties to discourage the hope of compassing that event, which appears so fair when contemplated in connection with remoter consequences? The object of the bill, the security of liberty and of the protestant religion, an object in itself great and desirable, had led many to be advocates for the bill of exclusion, without considering the difficulties which obstructed the execution of it. But many political projects involve such inherent weakness as endangers their execution and success, though fortified with all the forms and sanctions of the law. This must ever be the case while the spirit of them runs contrary to justice, humanity, or the prejudices of the people.

Was it just to deprive the meanest subject of his birth-right, merely on account of opinions formed after a deliberate and conscientious inquiry? Could one who was so honest as to avow his faith, at the hazard of losing a crown, be suspected of being deficient in the fundamental principles of truth and of probity? Might not limitations and restrictions, confirmed by the oath or the promise of such a one, be relied upon, as affording a security more firm and more safe than what could be obtained by the mere letter of an act of parliament? However commendable the zeal of the exclusionists might be, yet it certainly had transported them too far, when they sought to violate the essential principles of justice. The refined sophistry of Loyala

[1] Grey's Debates, vol. vii. Lords Debates, vol. i. Pamphlets of the Times, particularly Lord Delamer's Speech. Brief History of the Succession. Vindication of the two last Parliaments. Somers' Collection, vol. i. Reasons for his Majesty's passing the Bill of Exclusion, ibid. &c. &c.

never invented a more execrable maxim than that, by which too many of the leading patriots seemed to justify their political conduct —that evil ought to be done for the sake of good; or that the pretended importance of the end could atone for the baseness of the means by which it was to be procured. *Ruat cœlum, fiat justitia*; the right of the duke of York came from God; and to his providence alone it belonged to control and to punish the abuse of that right.

How much would it tend to the peace of empires, if christians could be persuaded to form their sentiments according to the original precepts, and the purest examples of their religion? Subjection to the powers that be, is the calm inoffensive temper of the followers of a Master, whose kingdom is not of this world. However important the tenets of the reformation, yet they cannot claim a preference to the fundamental doctrines of the Gospel; nay, they must derive all their value from their conformity to them. Nor is it possible that the multiplied and various sects of christians, when compared among themselves, can exhibit a greater opposition of system and of policy, than that which subsisted between idolaters and the worshippers of the true God. Yet did ever christians assert, that idolatry, the most gross and the most pernicious of all heresies, was a justifiable pretext for withdrawing allegiance, or relaxing obligations of obedience to the reigning prince? The apostate Julian repealed those edicts which invested christians with a legal claim to many valuable immunities. The christians lamented their calamities, and waited with patience for the interposition of a benign providence, because redress or deliverance obtained by their own hands, through breach of loyalty, was unwarrantable by the laws of their religion.

While the faith of different emperors, and sometimes of the same emperor, wavered between arianism and athanasianism, and alternately favoured the one and persecuted the other; arians and trinitarians

rians divided among themselves, and dissenting from the religious opinion of the prince, harmoniously coincided in the doctrine of allegiance to his person.

It was contended, that great respect ought to be paid to the prejudices of their fellow-subjects, by avoiding a legal declaration which contradicted the predominant sentiments of the people. Faction, it was true, had produced a fleeting influence upon the opinions of the multitude. Exclusion was the clamour of the day: but still it was well known, that notions of prerogative ran high among men of the greatest weight and authority. From these the sentiments of the multitude must take their fixed and lasting impression. Supposing that the united assent of the king, lords, and commons, should be admitted, as authority sufficient to bind the sentiments of the people, yet after the aversion to the bill, so often expressed by the king, his assent could only be the effect of compulsion, which would render the act void and ineffectual, to enforce the submission of that part of his subjects who, from other considerations, did not view it with a favourable eye. The acts of parliament of the fifteenth of Edward the third, and of the tenth of Richard the second, were repealed, because the king's consent to them was forced. Edward the fourth, Henry the seventh, queen Mary, queen Elizabeth, and king James the first, enjoyed the crown, though all of them were excluded by acts of parliament.

Supposing that England should unanimously accept the exclusion, it was probable, or indeed certain, that it must meet with opposition from Scotland and from Ireland. Was there not evident danger of rending and of dividing the different provinces of the empire? Of all national calamities, a civil war is the most destructive and the most deplorable. A controverted succession, and a civil war, are events combined and inseparable. The usurpation of Harold produced the Norman conquest: the contests between the houses of York and Lancaster were attended with the most tragical events that occur in

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the hiſtory of England: the richeſt provinces became deſolate and uninhabited; many hundred thouſand of the commons fell by violent hands; the nobility were almoſt extirpated. Could the uncontrolled tyranny of Rome be productive of more fatal diſaſters? Who can tell, if England, in ſuch a criſis, ſhall be reſerved for the evils ariſing from internal war among her own children! May not the zeal of Roman catholic princes engage them in the quarrel, and introduce devaſtation and blood by foreign hands? The vigilance of France to graſp at every opportunity of extending her power, and her attachment to the duke of York, rendered her interference certain. May not a jealouſy of the infringement of prerogative, dearer to them than their religion itſelf, render even proteſtant princes indifferent ſpectators of the miſeries of England; or diſpoſe them to lend their aid to diſcourage a precedent which, one day, upon maxims equally popular and convenient, might be turned againſt themſelves, and employed to limit their power and to degrade their poſterity?

The members of parliament, who affected ſuch zeal for liberty, were deſired to attend with caution to the line of duty, and the reſtrictions of power which the law had preſcribed to them. They are appointed guardians of the eſtabliſhed government: they may introduce improvements in the ſpirit of the conſtitution, while the eſſential parts of it are maintained ſound and entire. While the foundation ſtands firm, they may be permitted to embelliſh the ſuperſtructure, and to render it more commodious; but to alter the common courſe of the ſucceſſion to the crown, was to offer violence to eſſentials, and lay in ruin the pillars upon which the whole fabric of our conſtitution was erected. It was to change the conſtitution from an hereditary to an elective monarchy.

It required no deep ingenuity to reply to the precedents and the ſtatutes of former reigns cited by the excluſioniſts, and even to uſe them as arguments againſt that cauſe which they were intended to ſuſtain.

ſuſtain. The conſciouſneſs of a defective right had induced princes to apply for a recognition of parliament, and to ſubſtitute law in the place of equity. Henry the fourth was an uſurper, and was deſirous of juſtifying his claim by the authority of a ſtatute, becauſe he knew of no other baſis upon which it could ſtand. A ſtatute of parliament had declared the marriage of Henry the eighth and Ann Bullen null and void, and conſequently involved the illegitimacy of Elizabeth; it was therefore prudent and neceſſary to undo by parliament what had been done by parliament, and to remove, by a formal recognition, every objection to the title of that princeſs. The ſtatute of the thirtieth of Elizabeth, diſabling the next ſucceſſor who ſhould inſiſt upon his title to the crown during the life of the queen, originated in jealouſy, and terminated in oppreſſion. It was intended to intimidate and to overawe thoſe, who were inclined to ſupport the pretenſions of the unfortunate queen Mary, and to bring home the charge of guilt againſt her; and thereby draw the ſpecious veil of law and of juſtice over the darkeſt tranſaction that ſtains the memory of Elizabeth.

Let the example of Elizabeth, in reference to the very point in diſpute, be remembered: How did ſhe frown upon parliament as often as they preſumed to enter upon the affair of the ſucceſſion, or upon any point touching her prerogative; which ſhe ſtyled the chief flower in her garland?

It was recommended to the excluſioniſts, to take care that they did not exemplify in their own conduct, what they profeſſed to fear and to avoid; while, by their own violence, they adopted the ſpirit and purſued the conduct of Roman catholics. The depoſing of princes on account of their religion, the alienating their dominions, and the abſolving their ſubjects from their oath of allegiance, were the moſt inſolent and the moſt deſtructive acts of tyranny to which the court of Rome had ever aſpired. And would a proteſtant parliament

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liament tread in the paths of injustice, and, without the name, display the tyrannical and malignant spirit of Roman catholics?

They were conjured, as they professed a regard to the honour of the protestant religion, to revere the sacred nature of an oath. What but jesuitical casuistry could reconcile the conduct of the exclusionists to the oath of allegiance, by which they became bound to be faithful to the king, and to his lawful heirs and successors?

Let the spirit of the constitution be regarded. To condemn a man unheard, was an usage unknown to the English law; and yet, by the exclusion, it was proposed, without any impeachment, without any evidence, to deprive a person of that regal authority, and of those exalted honours, to which his birth, as well as the laws of his country, gave him an undisputed title.

It was finally objected to the bill, that its object was of too personal a nature. Instead of excluding all heirs whatever, of the popish religion, from inheriting and wearing the crown of England, it was levelled only against James duke of York, whether he should be a protestant or a papist at the time of the king's death. This procedure appeared to be the effect of private malice and revenge against the duke from individuals who had gone too far to retract, and imagined that their safety was endangered should he ascend the throne, rather than of any disinterested plan of securing the protestant religion against the insidious designs of a popish successor*.

After a calm review of the arguments now detailed, it appears by no means easy to decide, with which of the parties the strength of the argument lies. When any measure implies a flagrant violation of reason or of justice, we are warranted, without any breach of candour, to ascribe it to the sinister influence of party, to motives of ambition, resentment, or popularity. But at a period remote from the

* Grey's Debates, vol. vii. Lords Debates, vol. i. Pamphlets of the Times, particularly *Fiat Justitia ruat mundus*. Dugdale's Reply. The Case put concerning the Succession, by L'Estrange. A seasonable Address to both Houses of Parliament concerning the Succession.

the heat of faction, where the advantages and the dangers appear so equally balanced, we may fairly give the credit of wisdom, and the praise of patriotism, to those who divided in opinion with respect to the question of the exclusion.

Reflections upon the conduct of opposition in the preceding period.

There were other measures pursued by opposition in the three last parliaments of Charles, the motives of which appear doubtful, and some of them carry the plainest symptoms of a factious and turbulent spirit.

The sanguinary violence with which succeeding parliaments prosecuted the discovery of the plot, their partiality to the evidence of the most infamous witnesses, the artifices by which they propagated suspicions against the innocent, and exaggerated the fears of a credulous multitude, have unfortunately enabled the enemies of the protestant religion to charge it with acts of cruelty, but little inferior to those atrocious deeds which stain the history of the papal inquisition.

The association bill, by which the members of both houses became bound to avenge the king's death, if that event should happen, upon the adherents to the Roman catholic religion, was a palpable act of injustice, inasmuch as it assumed for certain an event which was contingent, and laid the foundation of arbitrary and of ill-founded crimination. Under the mask of loyalty, it provoked danger from a new quarter; it proclaimed impunity to the protestant assassin, and suggested to the bloody enthusiast a safe method, for the satiating of his vengeance against that sect, which he hated and wished to extirpate.

If the commons had omitted to declare the right of the subject to petition the throne, after that right had been discouraged by the frowns and prohibited by the proclamation of the king, they might have been accused of a breach of trust with respect to the most important interests of their constituents. If not satisfied with ascertaining this right, they had confined their inquiries and their cen-

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ſures merely to their own members who had voted againſt the petitions, they might have appeared to unprejudiced ſpectators to have kept within the tract of a legal and temperate juriſdiction. But when they denounced vengeance againſt perſons who had not been guilty of any breach of privilege, when they ſent their meſſengers into remote parts of the country to apprehend perſons of a private ſtation, who, by fair argument, and by an open and avowed declaration of their principles, had oppoſed the late petitions, they treſpaſſed upon the laws of moderation and of decency, and afforded their enemies too ſolid ground for retorting the reproach of that arbitrary ſpirit which they aſcribed to the court.

The reſolutions of the commons, formed in oppoſition to the judgment given by the lords, with regard to the right of biſhops to vote in caſes of life and death, has been cenſured as an intruſion upon the juriſdiction of another court. If, however, any great national object had been at ſtake, the importance of the end, and the purity of the motive, might have palliated the error of a new and an overſtrained exertion of power; but when we trace this meaſure to the aſſociated reſentment of France, and of the country party, bent upon the deſtruction of a fallen miniſter, how mean and diſgraceful does their conduct appear!

The zeal of the commons to reſcue Fitzharris from a proſecution, already commenced againſt him in the courts of law, is not only liable to the ſame cenſure, as being a preſumptuous interference with the eſtabliſhed, conſtitutional forms of juſtice, but alſo tending to ſtrengthen the ſuſpicion of their having formed a deſign of employing him as the tool of corruption, beſt adapted to diſturb the tranquillity of government.

If the conduct of the country party in the reign of Charles the ſecond had appeared in every view unexceptionable, or even meritorious in the eye of an unprejudiced ſpectator, who lived at that period, and formed his opinion from ſuch circumſtances as fell under

under his own immediate obſervation, yet the moſt candid in our own time, who have had an opportunity of attending to the additional information, and the evidence fairly collected from records which have been lately inſpected, cannot fail to ſubmit, however reluctantly, to this concluſion, that baſe and mercenary motives ſwayed the conduct of many who ſtood in oppoſition to the court, and were enrolled in the liſt of patriots. Candour may diſpoſe us to ſuſpend our deciſion with reſpect to the guilt of individuals; nor is it conſiſtent with its dictates, to blot, with the pen of a profligate ambaſſador, the names of illuſtrious perſons, who were never even ſuſpected of a baſe or an unworthy action[1]. But ſtill, neither the fact

[1] Though the fact be admitted, that the money of France was accepted by many of the whigs as the fee of oppoſition to the court, yet there is ſtrong reaſon to doubt, whether the guilt really extended to all who have been charged with it. In the liſt of French penſioners, publiſhed by ſir John Dalrymple, we find the names of Hambden and Sydney. Dalrymple, Ap. p. 315-316.

The opinion of cotemporaries was extremely favourable to the characters of Hambden and Sydney. The latter was univerſally eſteemed for integrity and honour; the French ambaſſador himſelf gives him credit for theſe virtues.

The character of Barillon, the French ambaſſador, who diſburſed the French penſions, was in no view reſpectable; he was extravagant, and addicted to pleaſure; he was poor when he came from France into England, and returned rich to his own country. This circumſtance alone naturally excites a ſuſpicion, that he appropriated, to his own uſe, ſome part of that money which he received for diſpenſing bribes among the Engliſh members of parliament. It was neceſſary, however, that he ſhould produce ſuch a ſtate of his accounts, as would make his receipts and diſburſements correſpond. He was in this view under a manifeſt temptation, to put down the names of perſons who did not really receive money from him; a fraud that was not likely to be inveſtigated or detected. As Sydney and Hambden intrigued with him to prevent England from entering into a war with France, it would be more eaſily believed that they accepted of money, as a compenſation for their ſervices. When theſe circumſtances are candidly conſidered, and the characters of Sydney and Barillon compared, it ſeems far more probable that the latter would maintain a falſehood, than that the former would receive the wages of corruption.

The late diſcovery of this tranſaction is a circumſtance which invalidates its authority. The trial of Sydney was particularly cited after the revolution, as an example of the violence and ſeverity of government in the reign of Charles the ſecond, and as an indelible aſperſion upon the character of the duke of York; who had, at that period, a principal ſway in the adminiſtration of affairs. Both Lewis and James were abundantly diſpoſed to make known every tranſaction and circumſtance, tending to calumniate the memory of the patriots. It is not eaſy to conceive how a circumſtance, ſo material to ſtain the character of Sydney, ſhould have eſcaped the knowledge of James, when he reſided at the court of France; or, if it did come to his knowledge, how he ſhould have omitted to mention it in his Life.

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faſt itſelf, nor the concluſion drawn from it, can be evaded. The money of France was profuſely diſtributed among the members of the country party, and deep corruption muſt have ſomewhere exiſted, among thoſe who derived aſſiſtance from ſuch baſe and ſuch criminal means.

To the character of lord Ruſſel, Barillon himſelf gives the following teſtimony: "That "when he was ready to diſtribute a conſider- "able ſum in the parliament, to prevail with "it to refuſe any money for the war with "France, and ſolicited him to name the per- "ſons that might be gained, lord Ruſſel re- "plied, that he ſhould be ſorry to have any "commerce with perſons capable of being "gained by money;" and he adds, what indeed throws a true light upon that myſterious inter- courſe which ſubſiſted between the patriots and the French agents, "that lord Ruſſel "was pleaſed to ſee that there was no private "underſtanding between Lewis and the king "of England to hurt their conſtitution." Dalrymple, Ap. p. 133.

Lord Ruſſel was the intimate friend of Syd- ney, and aſſociated with him in political councils. Is it probable, that he would have given his friendſhip and confidence to a man who received five hundred guineas as a bribe from France; or, that ſuch a circum- ſtance, if true, ſhould have eſcaped his no- tice? See Introduction to Lady Ruſſel's Letters.

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*The Influence of Oppoſition declines.—Cauſes of this.—Charles enters into a new Treaty with France.—Remains neutral while Lewis breaks the Peace of Nimiguen.—Barillon intrigues with the Leaders of Oppoſition.—The Intereſt of the Duke of York revives.—Influence of the Whigs in the City of London.—Attempts of the Court to gain the Election of the Sheriffs in the City.—Violent Meaſures for that End.—Quo Warrantos.—Timidity and Submiſſion of the People.—Detection of a Conſpiracy—ruinous to the Whigs.—The Court triumphant.—Death and Character of Charles.—Reflections.*

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1681. The influence of oppoſition declines.

FROM the diſſolution of the laſt parliament of Charles, the influence of oppoſition began to decline, and at laſt ſunk, almoſt without any hope of a revival, under the triumphant power of the crown. The cauſes which contributed to this event were many and obvious.

Cauſes of this.

The more ſober part of the nation, ſatiated with the profuſion of blood, ſhed in proſecution of thoſe who were ſuſpected of the popiſh plot, began now to repent of the cruelties into which they had been precipitated. They revolted with indignation from thoſe perſons who had abuſed their confidence and zeal, by rendering them ſubſervient to their private ſchemes of ambition and of reſentment. The natural feelings of the man, though their action may be ſuſpended by the tranſient prevalence of paſſion, will ever and anon recur, and no political ſyſtem, erected in oppoſition to them, will be attended with ſucceſs.

The heat and ferment with which the nation was agitated during the canvas for elections, and while queſtions, which affected the intereſt of parties, were depending in parliament, appeared to many

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a more intolerable grievance, than the worſt effects they had experienced from the arbitrary exertions of prerogative.

The unexpected firmneſs of the king, in adhering to his brother, diſcouraged the timid, while the conceſſions he offered with apparent ſymptoms of ſincerity, gained upon the moderate part of the nation. The character of Charles for good nature, and the point of affection, the only thing he refuſed to yield to the importunity of the commons, excited the ſympathy and compaſſion of many, who ſtood unconnected with either of the contending parties. Royalty ſeemed to be fallen into a lamentable condition, when the king condeſcended to appeal to the humanity and reaſon of his people; and to implore their mediation, to compoſe thoſe diſputes which embroiled the nation, and deprived him of their confidence and of domeſtic repoſe. Immediately after the diſſolution of the Oxford parliament, a declaration was publiſhed in the name of the king, complaining of the inſolent and factious ſpirit of the three preceding parliaments, and retorting upon them thoſe violations of law and juſtice, with which they arraigned the court[1]. The inſinuating ſtyle of this declaration, the fairneſs it profeſſed, and the very circumſtance of the time of reading it, after public worſhip, when the minds of the audience were ſoftened by devotion, and prepared by exhortations favourable to its influence, produced a ſudden and powerful effect, in gaining over proſelytes to the royal party; and in diſſeminating unfavourable prejudices againſt their opponents[2].

8th April.

The ableſt and the moſt ſteady partizans of oppoſition loſt much of their authority, when deprived of parliamentary pre-eminence, and reduced to the level of private citizens. Nor was it to be expected, that, in a ſolitary and diſperſed ſituation, they could maintain that ardour of patriotiſm and that boldneſs of de-

[1] State Tracts, Temp. Car. vol. ii. [2] Echard.

ſign,

sign, which had been cherished and invigorated by the sympathy and applause of a congenial multitude.

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Want of success is often imputed as demerit to the political adventurer. When the members of parliament returned to their constituents without the fruits they had promised, they were exposed to censure for their temerity and confidence, in having excited expectations which they were unable to gratify. Had they acted with greater moderation and prudence, they might have procured some solid and lasting advantage to the constitution; but now they had left it in a worse condition, than that in which they had found it[3]. Before contending armies have come to action, the surrounding multitudes prudently wish to maintain a neutrality: but, the moment victory has declared itself, they precipitantly rush to the triumphant standard. The late struggles of parliament, however ostentatious and spirited, now baffled and disappointed, only served to augment the power and triumph of the crown. Addresses, of congratulation, and of thanks, to the king for dismissing his parliament, were presented by many of the counties and corporations, not excepting those, who had shown the most forward zeal in opposing the exclusion[4].

Charles enters into a new treaty with France. 1st April.

Meanwhile, another treaty with France administered subsistence to the English monarch, and was requited by the neutrality, with which, Charles, regardless of his engagements to Spain, beheld the usurpations of Lewis upon the continent[5]. The peace of Nimiguen afforded but a transient hope of tranquillity to the parties, whose in-

[3] Periodical Publications.

[4] Ralph, vol. i. p. 592. Somers, vol. vii. p. 328.

[5] This treaty was transacted on the 1st April 1681, and was not even committed to writing. The terms of it were, that Charles should disengage himself from the alliance with Spain: that he should either not call a parliament, or prevent it from taking any measures against France: that he should receive a pension of two millions of crowns from France for one year, and five hundred thousand for two years after. Dalrymple, Ap. p. 301. This seems to be the same treaty which is mentioned in the Life of James 1681. Extract vii. though the terms of it are represented as somewhat different.

terests

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terests it had been intended to protect, and the very discussion of the terms upon which it had been formed, added new evidences of the treacherous artifice and restless ambition of Lewis[6]. His commissioners, who met with those of the allies at Cambray after the peace, in order finally to regulate all the disputes about limitations, brought forward, under the vague title of dependencies, the most extravagant claims upon Spain and upon the Emperor[7]. Military preparations were still carried on with unremitted industry in France, and there was reason to suspect, that, by her intrigues, she was stirring up the malecontents against the emperor in Hungary[8]. The prince of Orange, who, upon the foresight of the treachery of France, had strenuously opposed the peace, now came over to England, to solicit his uncle to enter into an alliance with Spain, Germany, and Holland, in order to give a check to the encroachments of Lewis. The personal application of the prince was enforced by the intreaties of the ambassadors of Spain and of the emperor, and by the engagements he had entered into with the former, seconded by the known inclinations of his people and the advice of some of his ministers[9]. The part which Charles acted was hypocritical and evasive: he openly

26th July.

Remains neutral while Lewis breaks the peace of Nimiguen.

6 Reflexions sur la Regne de Louis XIV. p. 181-2.

7 France claimed the greatest part of the dutchy of Luxemburgh, as belonging to the dutchy of Mentz: she demanded Chinay from Spain with all its dependencies; under the same indefinite title she claimed Alsace and Little Brabant: she claimed Strasburg as the capital of Alsace, and prevailed upon the magistrates, by bribery, to deliver it into her hands on the 30th September 1681. Thus, when the claim of right was confuted, by observing that Strasburgh had been excepted in the articles of peace as a free city, France resorted to this plea, that, as a free city, it was entitled to chuse its own master. At the same time (Sept. 1681) a French garrison entered Cassel, the capital of Montferrat, by virtue of a treaty with the duke of Mantua, under whose sovereignty it was; but as a fief of the empire it could not be transferred without the emperor's consent. Variations de la Monarchie Francoise, tom. iv. p. 248.

These claims of France far exceeded what Charles understood to be included in the late treaty made with Lewis. He was greatly alarmed by them, not from any respect to the interest of the allies, but because he dreaded the discontents of his people, which might bring him under the necessity of calling a parliament. He remonstrated vehemently against Lewis for seizing Luxemburgh, but was pacified by receiving a million of livres. Dalrymple, Ap. p. 15. and 20, 21.

8 Ralph, vol. i. p. 614.

9 Ibid. vol. ii.

remonstrated against the encroachments of France: he even promised the Dutch and the Spanish ambassadors to call a parliament and to join in the confederacy; while he secretly intimated to France, that he had no intention of performing these promises[10]. He was guilty of still greater duplicity. It was agreed upon between Charles and Lewis, that the latter should propose to refer the dispute between him and Spain, to the arbitration of Charles. The court of Spain, suspicious of the intimate connexion between Lewis and Charles, refused to acquiesce in the proposed arbitration. Lewis made this a pretext for farther encroachments upon the Spanish provinces: Charles complained that he was ill-used by the distrust of that court, and made it a reason for withholding his assistance[11]. The conduct of Charles was, perhaps, at no former period more open to censure, on account of his duplicity and his mean subjection to the schemes and politics of France. What a favourable opportunity did the leaders of the popular party now enjoy, for rousing the spirit of the nation? How easy would it have been, to have exposed the hypocrisy of Charles's remonstrances against the encroachments of France? How disgraceful to the king and the nation, the contempt with which France treated them?

Barillon intrigues with the leaders of opposition.

The crafty Barillon was aware of this danger, and with great address provided against it. He still cultivated a correspondence with the popular party[12]. He amused patriotic hopes, and seemed to lend a favourable ear to a proposal, made by some of the whigs, to secure the possession of Luxemburgh, provided a parliament was called[13]. The result of these measures was, that, after France had obtained

[10] Dalrymple, Ap. to part 1st, p. 15. and 20, &c.

[11] Ibid.

[12] Ibid. part ii. p. 31-2-3, and 78-9.

[13] These offers were proposed by Mon-[illegible]e, in the name of his party. Barillon, in a letter to Lewis, justifies the propriety of continuing his intrigues with the popular party, from the following considerations: that, if he had discontinued them, the popular party in England would have suspected the re-union of Charles with France: that they would have joined

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obtained every thing she wanted, a truce was agreed to, between her and the allies, for the space of twenty years[14].

1681. 29th June, 1684. The interest of the duke of York revives.

From the dissolution of the Oxford parliament, the interest of the duke of York began to revive, and, at last, attained to an uncontrolled ascendancy in directing public measures. The treaty between his brother and France was forwarded by his zeal and activity. He left Scotland, and returned to the court, where he supported the interest of France, by dissuading his brother from complying with the solicitations of the allies[15]. The interest of the duke was seconded by the dutchess of Portsmouth, to whom he was now reconciled, by the mediation of lord Sunderland, and by the duke of Ormond, who was detained in England with a view of supporting the measures of the court[16]. The duke of York resumed his seat in the privy council, and was afterwards restored to the head of the admiralty. The only check to his influence at this time, seems to have arisen from lord Halifax, who, on account of his services in the exclusion, was taken into the privy council, and afterwards made privy seal. Lord Halifax was a friend to moderate counsels: he advised the king to send the duke of York into Scotland, to call a new parliament, and to take measures against France, in order to reconcile the popular party to the court[17]. Lord Rochester opposed the opinions of Lord Halifax in the privy council, and was understood to be entirely devoted to the interest, and to the measures, of the duke of York. Not only a disagreement in sentiment, but a keen animosity, marked the opposition between Halifax and Rochester. The former accused the latter of unwarrantable profusion, and of abuse of his trust, in the office of treasurer; but

joined with Holland, and made a coalition of parties at home, with a view of compelling the king to call a parliament, and to enter into a war with France. Dalrymple, Ap. p. 32. But though there is little doubt that Montague made such offers, yet there is no evidence of his having the authority of his party for doing so.

[14] Life of William, vol. i. p. 120.

[15] Life of James 1681-2.

[16] Life of Ormond, vol. ii.

[17] Temple, vol. i. p. 461.

he was prevented by the interpoſition of the king, from proceeding to the inveſtigation of evidence, in ſupport of this charge [18].

1681.
Influence of the whigs in the city of London.

Amidſt the career of proſperity in which the court was advancing, it was ſtill expoſed to frequent checks and mortifications, from the prevailing influence of the whigs in the metropolis. As a great proportion of criminal cauſes was brought forward within the diſtrict of the city of London, an immenſe influence fell into the hands of the ſheriffs, to whoſe office it belonged to make out the liſt of juries [19]. In the tumult and the contention of parties, ſubſiſting among a free people, it would require a very nice ſelection, to find any conſiderable number of men, who have either diſcernment or moderation to preſerve that cool and unbiaſſed frame of mind, which is eſſential to a pure deciſion, in any cauſe, ever ſo remotely connected with ſubjects of political controverſy. The court complained of the partiality of juries, and ſuſtained the moſt mortifying diſappointment, by the grand jury of Middleſex having returned their verdict of ignoramus, upon an indictment preſented againſt the earl of Shaftſbury [20]. Unleſs the ſheriffs were gained over to its intereſt, it was impoſſible that it could afford that protection to friends, or accompliſh that reſentment againſt enemies, which were neceſſary to encourage bolder efforts in the former, or to overawe and repreſs the ſecret cabals and intrigues of the latter [21].

Nov. 24th.

[18] Ralph. Dalrymple, Ap.

[19] Somers' Collection, vol. i. p. 196.

[20] The principal articles charged againſt lord Shaftſbury were: that he had been engaged in raiſing a military force againſt the king: and that there was found in his ſtudy, the copy of an aſſociation againſt government. The violent reſentment of the court againſt Shaftſbury operated to the diſappointment of its object; and this probably would have been the caſe, though the judges had been leſs partial to him than they really were. It was evident, that great induſtry and addreſs had been employed by the court, in order to procure evidence againſt him. Some of the witneſſes were of a ſuſpicious character, and ſome of the things atteſted by them extremely improbable. The converſation and the expreſſions aſcribed to lord Shaftſbury were quite out of character. There ſtill remained evidence enough, if not for convicting lord Shaftſbury, yet for laying the foundation of a trial. Notwithſtanding this the jury returned a verdict of *ignoramus*, the term uſed when they think the evidence too weak to juſtify them in finding the bill. State Trials, vol. iii.

[21] Life of lord Keeper North.

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Attempt of the court to gain the election of the sheriffs in the city.

June 1682.

In order to accomplish this important acquisition, the court having secured the friendship of sir John Moor, who was then mayor, instigated him to claim as his right, what had hitherto been considered as a voluntary condescension on the part of the livery. Though the charter of the city vested the election of both the sheriffs in the common-hall, yet it had been their usual practice to elect, as one of them, that person, whose health had been drank by the lord mayor, in token of his inclinations and recommendation. From this precedent it was inferred, that, by the terms of the charter, no more could be intended, than to reserve to the common-hall the privilege of approving and confirming the choice of the mayor[22].

Violent measures for that end.

So far the matter in dispute between the mayor and the livery appeared of a doubtful nature, and afforded scope for plausible arguments in behalf of both the contending parties. Subsequent measures, encouraged by the court, and pursued by the mayor, were indecent violations of order, and deep encroachments upon the rights of the livery. He adjourned the election, contrary to form, and not only refused to sustain the poll, which was tumultuously carried on after adjournment, but, with arbitrary resolution, to admit any to vote upon a future poll who would not previously consent to his nomination[23]. The restriction was agreed to only by the friends of the king, and terminated in the appointment of two sheriffs, devoted to his wishes and interests. What a dangerous acquisition to the influence of ministry? From the power of modelling juries, what had not its enemies to fear? It soon appeared, that their most dreadful apprehensions were neither imaginary nor exaggerated. The conduct of the court indicated a deliberate resolution, not only of avenging the opposition it had already received from the whigs, but also of extinguishing their future influence under the authority of law. Not only deeds,

[22] Life of Sir Dudley North. Kennet. [23] Kennet.

upon

upon which a treafonable conftruction was put by a forced interpretation of the ftatute, were called in queftion, but expreffions, ufed in the courfe of common converfation, incurred the implication of criminal intent. Publications difrefpectful to the duke of York, fentences in fermons derogatory to the prerogative, and attefted upon the recollection of prejudiced hearers, were now punifhed with unmerciful feverity[24]. The moft cruel vengeance fell on thofe who had been active againft the mayor in the contention about the election of fheriffs; exorbitant fines were exacted; minifterial agents went about from place to place collecting grounds of accufation[25]; and now it was, that the king let loofe the laws againft the diffenters, and not only forfeited all claim to the principles of toleration which he had formerly profeffed, but, to that lenity of difpofition, which the partiality of the nation had afcribed to him, notwithftanding the harfh complexion of many public meafures[26].

1682-3.

There were, however, various circumftances which appeared to endanger the retention of thefe acquifitions, lately fallen into the fcale of prerogative, and which fummoned the utmoft exertion of minifterial fagacity, to enfure the permanent and undifturbed tranquillity of the prince. The bounty of France was precarious, and inadequate to the expences of the court of England[27]. The economy and retrenchments which the neceffity of his affairs demanded, were irkfome and mortifying to Charles, addicted to indolence, and immerfed in extravagant pleafure. The nation, attached to liberty and the conftitution, would never be brought to endure, with patience, the total fuppreffion of parliaments. The royal declaration, which had contributed fo much to blunt the edge

[24] State Trials, 1682. [25] Ibid.

[26] Kennet.

[27] It is afferted, that the court of France difcontinued the payment of Charles's penfion, becaufe he releafed lord Danby from imprifonment; a ftriking inftance of the meannefs and inflexibility of her refentment.

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of party ſpirit, had been more acceptable to the people, becauſe it profeſſed a reſpect to the authority of parliaments, and might be urged as an obligation upon the king to return to them. It was prudent to foreſee this contingency, and to provide againſt it: if the king could not lay aſide parliaments altogether, it became neceſſary to deviſe ſome plan to change their complexion, and to render them more gentle and more ſubmiſſive to his will.

Quo warrantos

From theſe reflections, aroſe the audacious policy of wreſting their preſent charters out of the hands of the corporations, in order to new model them by ſuch reſtrictions, as might render their members, elected to ſerve in future parliaments, entirely devoted to the intereſt of the crown[28]. The firſt experiment of this plan was executed againſt the city of London. A quo warranto was iſſued againſt the common-council: frivolous irregularities, and even the juſt and commendable exerciſe of their power in forming bye-laws adapted to the intereſt and the convenience of the inhabitants, were urged to infer a legal forfeiture of their charter. The city firſt ſtood upon its defence, but afterwards, diſcomfited by a ſentence in the king's bench, and wrought upon by threats and promiſes, ſurrendered its franchiſes into the hands of the king[29].

12th June, 1683.

Theſe arbitrary proceedings were not confined to the city of London, whoſe violence had expoſed them to the cenſure of men of

[28] Kennet.

[29] While the diſpute with London was depending, ſome of the boroughs made a voluntary ſurrender of their charters.

As the judgment paſſed againſt the city was not immediately recorded, the common-council preſented a petition to the king, expreſſing a deep ſenſe of their offences, and promiſing future loyalty and obedience: upon which the charter of the city was reſtored, with regulations, which, in effect, veſted the crown with a negative upon the choice of the mayor and ſheriffs. Echard.

The chief juſtice Saunders had the peruſal of all the indictments and the informations, preſerved at the inſtance of the crown, in the caſes of the quo warrantos. Life of Lord Keeper North, p. 225.

The perſon who, in the laſt year of Charles, had the principal direction in the law department, was ſir Francis North, made chancellor after the death of the earl of Nottingham. He poſſeſſed very conſiderable abilities, and though highly attached to the court, did not connect himſelf with any of the miniſters, but profeſſed to reſt his merit and importance upon the reſpect he ſhewed to the laws and to the conſtitution. Ralph, vol. i. p. 708.

moderate principles. Quo warrantos were iſſued by the crown lawyers againſt many of the corporations of the boroughs in England. Intimidated by the fate and the example of the capital, they were content to reſign their privileges, and to receive them again as a favour from the crown, mutilated and circumſcribed, for the purpoſe of rendering its influence, in future elections, paramount to all internal oppoſition from the members of the corporations[30].

Timidity and ſubmiſſion of the people.

While we execrate that arbitrary ſpirit which trampled upon the very forms of law, we muſt at the ſame time deſpiſe that abject timidity, which not only reſtrained the corporations from a manly and becoming reſiſtance, but rendered them acceſſory to their own diſgrace, and to the deſtruction of national liberty. Where now is that noble ſpirit of patriotiſm, which, with unwearied circumſpection, watched every avenue of danger, and caught alarm at the moſt diſtant approach of tyranny? Never was there a louder call, nor a juſter cauſe for reſiſting, with fortitude and obſtinacy, the meaſures of the court, than when Charles, by exacting from the corporations the ſurrender of their privileges, made ſuch an undiſguiſed and outrageous attack upon the fences of liberty and the conſtitution. Seldom had there been any opportunity of reſiſtance, when it was encouraged by a more promiſing proſpect of ſucceſs. In the queſtion concerning the excluſion, juſtice and expediency ſeemed to interfere: whatever might be the iſſue of that queſtion, the danger ariſing from it appeared immenſe and unavoidable; and it was only, after an interval of ſuſpence and uncertainty, that the cautious mind could be brought to any determination what to prefer. But here was an obvious violation of right; a long connected train of dangers preſented itſelf to the eye. If the franchiſes of the boroughs were invaded without a ſtruggle, might not the precedent be applied with equal propriety to the change, or the limitation, of the rights of the freeholders? What was the difference be-

[30] Echard.

tween

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tween a king who reigned without the name of a parliament or the veſtige of control, and a king who reigned over a parliament, compoſed of members, named and choſen by his command? If the boroughs had made only a feeble reſiſtance to theſe arbitrary proceedings, till they had been ſubmitted to the deliberate review of the wiſer and more impartial part of the nation, the danger muſt have been detected, the ſpirit of the people rouſed, and the court reduced to the neceſſity of relinquiſhing the diſpute with that diſgrace and diminution of power, which always attend the defeated ſchemes of uſurpation.

In the inſtances recited, we have obſerved the power of the crown ſtretched beyond the limits of law, in conformity to arbitrary ſchemes, formed in the cabinet after the diſſolution of the laſt parliament. Accidental circumſtances now concurred, with political manœuvres, to turn the balance ſtill more in favour of the monarchy, and to diſcourage all future conſultations and attempts to interrupt the alarming progreſs of regal ambition.

Detection of a conſpiracy; June. March:

A conſpiracy againſt the ſtate was diſcovered, and it appeared, that a circumſtance, merely accidental, had prevented the aſſaſſination of the king on his return from Newmarket; and, though this atrocious deſign was diſclaimed by the moſt reſpectable perſons who were accuſed of the Rye-houſe plot, yet, there was a clear proof of their having had frequent meetings with others, who were convicted of conſpiring againſt the life of the king and his brother[31]. It was farther

[31] It was called the Rye-houſe plot, becauſe the deſign of it was to aſſaſſinate the king and the duke of York as they returned from Newmarket, at a place called the Rye-houſe, belonging to Rumbold, one of the conſpirators. A fire, which happened at Newmarket, was the occaſion of the king's returning to London, before the conſpirators were prepared for the execution of their deſign. Some of them conſidered it as a providential interpoſition in behalf of the king, and one Kieling, under the preſſure of remorſe as he pretended, made a diſcovery of the conſpiracy to ſecretary Jenkins, and, after his example, others of the conſpirators offered to become witneſſes for the king.

From their information it appeared, that, after the diſſolution of the Oxford parliament, frequent meetings had been held by many of the whigs, in order to conſult about the moſt proper methods for controlling the arbitrary meaſures of the court. A correſpondence was kept up with the diſaffected party in Scotland; different plans were ſuggeſted,

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farther remarkable, that this conspiracy had been concerted at the same time, and in the same place, with those measures of the last parliament which were most obnoxious to the court, and that the charge was brought home to those very persons who had promoted, with the greatest zeal, the prosecution of the popish plot and the bill of exclusion. The language then held by them was, that the life of the king was in danger, and an anxiety to preserve his life was the professed motive of their zeal. By their persuasion, the commons resolved, that if the king should come to a violent death, they would revenge it upon those of the Roman catholic religion. But now it was evident, that, by substituting imaginary dangers in the place of real ones, and by defaming the reputation of the innocent, they meant to lull the suspicions of the nation, till their design should be ripe for execution, and which had nearly accomplished its tremendous effects. While many reflected with abhorrence upon the deep hypocrisy with which these men had acted, by a connection of sentiment extremely natural, though neither logical nor candid, they carried back the iniquity of their present conduct to the measures they had hitherto pursued, and extended it to all who had been connected with them, while the character of their opponents in the same proportion, and with as little propriety, met with esteem and confidence [22]. This was a fatal blow to the interest of that party, from which alone resistance to the present arbitrary measures could be expected.

Ruinous to the whigs.

The court triumphant.

Discomfited by these disasters, the whigs sunk into despondency; and no future opposition seems to have been meditated

gested, according to the temper and the motives of individuals. It had been proposed at one of these meetings, to make an insurrection in the city, and to seize the king's guards. The assassination of the king had been occasionally mentioned, but reprobated by the most respectable members of these associations. Kennet. North's Examen, p. 393-8.

When this conspiracy was discovered, unconnected parts of it were confounded, and the expressions and actions of individuals indiscriminately imputed to all who had associated with them. The trials of the conspirators were conducted with the greatest rigour, and some essential forms of law violated. State Trials, vol. iii. Vindication of Lord Russel. Ibid.

[22] North's Examen. Lord Guildford's MS. Dalrymple, Ap. p. 64.

during

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during the remaining eighteen months of the life of Charles. Shaftſbury, the moſt able, Ruſſel, the moſt virtuous of the party, were no more: the reſtraints of law removed, the ſpirit of the nation broken and ſubdued, the heads of the country party fallen into diſcredit, by the crimes and the misfortunes of their aſſociates, the influence of the crown became ſupreme and irreſiſtible.

Death and character of Charles.

Charles did not long ſurvive to enjoy his proſperity, if it deſerves that name. He languiſhed under an oppreſſion of ſpirits for ſeveral months, and after an apoplectic ſtroke, from which he recovered in ſome degree, relapſed again, and expired on the ſixth of February one thouſand ſix hundred and eighty-five.

It is not to be denied, that nature had furniſhed the mind of this prince with a more than common ſhare of genius and taſte. Affability, ſprightlineſs, wit, and good breeding, conveyed an amiable view of his character to thoſe who ſurrendered judgement to the ſudden and tranſient impreſſions of converſation and external manners.

Tried by that ſyſtem, which aſcribes tranſcendent merit to the graces, few royal characters appear more deſerving of applauſe and admiration: few will ſtand lower in the deciſion of thoſe, who hold moral accompliſhments to be the moſt eſſential ornaments of character, and the only genuine baſis of eſteem and praiſe.

Without any ſenſe of religious principle, ungrateful to his own friends, and the friends of his father; timid and fluctuating in his counſels; deſtitute of all pretenſions to patriotiſm; ever ready to ſacrifice the intereſt and glory of his country to the gratification of his pleaſures, and the ſupply of his wants; what remains to claim the approbation, or reſtrain the ſevereſt reproach, of impartial poſterity?

Reflections.

The ſatisfaction which Charles enjoyed in the latter period of his reign, on account of his triumph over the whig party, muſt have been greatly diminiſhed, by the perſonal mortifications he incurred, from

from the insolence and the treachery of France. How painful must it have been, to discover that Lewis had been intriguing with those very persons in England, whom he had considered as enemies to his own government, and to the interest of France[33]? Nay, so little respect did Lewis show, either to the honour or the domestic tranquillity of Charles, that he was accessory to a design, of exposing him to the contempt of his subjects, and of all Europe, by a publication of the secret treaties, by which Charles, to his disgrace, had connected himself with the court of France[34]. The encroachments which the French king made upon Flanders, were a mockery of the engagements into which he had entered with Charles by the last money treaty. His invasion of the principality of Orange, was an insult to the royal family of England. A circumstance which, we may believe, made a deeper impression upon the mind of Charles, was the withholding the pension promised to him, for remaining an indifferent spectator of such outrageous usurpations, at a time when he was reduced to the utmost distress, on account of his contracted and embarrassed revenue. Thus, like the unhappy female, who has fallen a prey to the snares of the licentious seducer, robbed of her innocence, and cheated of the reward of her prostitution, consigned to infamy and to poverty, Charles, if any spark of sensibility remained, must have been torn with all those pangs of remorse and of shame, which result from the consciousness of the basest iniquity and most egregious folly. No wonder, if, as attested by contemporary historians, he became pensive and melancholy, and entertained serious thoughts of changing the plan of his government[35]. The arrangements he had made in the several corporations by the *quo warranto* prosecutions, and a considerable reinforcement added to his army by the garrison recalled from Tangiers, would probably encourage him to hope, that if he called another parliament, he would find it more obsequious to his desires[36].

[33] Dalrymple, Ap. p. 74.
[34] State Papers, T. W. vol. i.
[35] Life of Lord Keeper North.
[36] Welwood, p. 137.

## CHAP. VII.

*Accession of James.—Circumstances favourable to Loyalty.—A Parliament.—Extraordinary Compliance of Parliament.—Invasion by Argyle and Monmouth;—Defeat of Monmouth;—Cruelties exercised against his Adherents;—Arbitrary Measures,—and Bigotry of the King.—He applies to Parliament for an Augmentation of the Army;—Intimates his dispensing with the Tests.—The Commons remonstrate against dispensing with the Tests;—Oppose the Augmentation of the Army.—The King angry with the Commons.—The Lords review the King's Speech.—Parliament prorogued.—Influence of the King declines.—Character of Sunderland,—of Petre,—of Jefferies.—The King retains in his Service the Officers who had taken the Tests.—Trial of the dispensing Power.—The King exercises it in the Charter-House Hospital;—in the University of Cambridge;—in Magdalen College, Oxford.—Dangerous Power of the Ecclesiastical Commission.—The King uses Means to obtain a corrupt Parliament.—Disappointed.—Orders his Army to be encamped.—Declaration for Liberty of Conscience.—The Bishops refuse to transmit it to their Dioceses:—They are imprisoned,—tried,—and acquitted.*

CHAP. VII. 1685. 6th Feb. Accession of James.

JAMES the second ascended the throne in peace; and an event, which a few years before had been anticipated with horror, as the most calamitous that could befal the nation, was accomplished, not only without resistance, but without the appearance of discontent, or the apprehension of danger. Of the cabals, the menaces, and the virulent spirit, of the exclusionists, no traces were to be found. A change of political sentiments, no less sudden and remarkable, awaits the observation of the historian. A prince, invested with extensive prerogative, and flattered with the most ardent expressions of attachment, through the baneful influence of obstinate

obstinate and infatuated bigotry, abdicates his throne, almost without a struggle, and is compelled to linger out the remainder of his days in exile and disgrace.

Circumstances favourable to loyalty.

A variety of circumstances concurred, to disappoint the unfavourable conjectures of preceding years, to change the temper of the nation, and to render the commencement of this reign auspicious and popular beyond expectation. The commerce of England, which had been progressive since the era of the reformation, had, of late, increased with more rapid success, and diffused prosperity among every order of men. A long continuance of peace taught the people to value and to enjoy the blessings of a settled government; blessings too important to be exposed to interruption or hazard, by listening rashly to speculations of amendment, or by the anticipation of remote and precarious dangers. Popular opinion was, in some respects, favourable to the character of the new sovereign. He had acquired reputation for ingenuity and courage, as a naval officer; he was believed to possess industry, and a capacity for business, and the profession of patriotic zeal raised high expectations from the application of those talents to the national welfare. It was hoped that the influence of the French court, so odious to Englishmen, would be abolished, under the administration of a prince who professed a high sense of national honour, and openly declared his detestation of a political system subservient to the views of a foreign prince[1]. Insinuations of the indolence and inactivity of the former reign were not restrained

[1] It is now certain, that all James's pretences to act with independence, and to throw off the influence of France, were hypocritical. He formed, from the very beginning, the plan of reigning without a parliament. He summoned his parliament, for which he makes many apologies to Lewis, only in order to be enabled to reign without it, after having obtained, by its means, the settlement of the revenue for life. He solicited a present of money from France, and was highly gratified with the obtaining of it. Dalrymple, Ap. p. 109. 12–13. 47. He renewed the treaty with Holland, summer 1685; but the reason of this was the backwardness of France to answer his demands for money. Compare Memoires de la Derniere Revolution d'Angleterre, par L. B. T. D'Avaux, vol. iii. 1685. Dalrymple, Ap. p. 158. 164.



by

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by a grateful delicacy, due, upon the part of the present prince, to the memory of a brother, who had never acted with steadiness and vigour in any cause but his[2]. Manly counsels, bold measures, prompt and vigorous execution, were expected from the activity and promises of the new sovereign. Though, from these motives, the inclinations of the people were favourable to him, James did not chuse to trust to their voluntary obsequiousness, for the return of members attached to the interest of the court. Every advantage was taken of those alterations which had been introduced, in the late reign, into the charters of corporations. Addresses and solicitations were added, with such success, that when the lists of the representatives to serve in the new parliament were presented to the king, he observed, with satisfaction, that there were not above forty names which he could wish to expunge[3].

A parliament.

The speech of the king to his parliament corresponded with the prepossessions they had formed of his character, and seemed to express his sincerity, firmness, and public spirit. He promised to maintain the established religion and government, and to desire no power or greatness beyond the limits of the constitution.

Extraordinary compliance of parliament.

The compliance and generosity of the parliament yielded to the prince the most satisfactory specimen of a loyal zeal. Both houses were unanimous in settling the revenue upon his majesty for life, in the same manner as it had been settled upon the late king[4]. James, during the interval between the death of his brother and the meeting of parliament, had continued to levy the customs by proclamation. With a deference to prerogative, at once servile and perfidious, this exercise of power, so deeply encroaching upon the privileges of the commons, was neither marked with censure in the reply to his majesty's speech, nor even, by the most distant hint of disapprobation, referred to by either house in the course of their debates. Agreeably to the same overstrained delicacy, a mo-

[2] Burnet. Wellwood. [3] Coke, 19th May. [4] Journ. Lords, Commons, 27th May.

tion

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tion for an address to his majesty, that he would be pleased to put in execution the laws against the dissenters, was thrown out; and it was resolved, that they should rely with implicit confidence, upon his gracious promises and repeated declarations, to defend the protestant religion [5]. A motion was made to extend the laws against treason; and, from the present temper of parliament, there is little room to doubt, that, if the session had been protracted, this and other dangerous concessions to prerogative, might have obtained the sanction of the legislature.

Invasion by Argyle and Monmouth, 22d May. 13th June.

The news of an invasion in Scotland by the earl of Argyle, and in England by the duke of Monmouth, circumscribed the operations of a zeal more fervent than wise, and engrossed the whole attention of parliament. The declarations of Monmouth and Argyle were communicated to both houses by the order of the king, and supplies were requested to enable him to augment the navy and the army, and to put the nation in a proper state of defence. The king was thanked for his attention; the declarations of Monmouth and of Argyle were voted treason [6]. The army of Monmouth was completely routed, he himself taken prisoner, and brought to an infamous execution, in little more than a month after his arrival in England. The destruction of an enemy so formidable by ambition and popularity, gratified the resentment, and augmented the power, of James; but the merciless gratification of that resentment, and the wanton abuse of that power, hastened his final disgrace and ruin. The severities inflicted upon the unhappy adherents to Monmouth, gave an insight into the king's character, and revived again those suspicions, which even the party, who first entertained them, were desirous to have buried in oblivion, and spread general horror over the nation. An age of advanced civilization beheld those wanton exertions of cruelty and of vengeance, which form the blackest

Defeat of Monmouth

15th July

Cruelties exercised against his adherents.

[5] Journ. Commons, 27th May.
[6] Journ. Lords and Commons, 23d May, 13th, 15th, and 23d June.

features

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features of society in its rudest state, and rouse indignation in every breast where the smallest spark of compassion dwells. In some of those towns which had opened their gates to Monmouth, the innocent and the guilty were promiscuously put to the sword. Many were condemned upon the slightest evidence, and ordered to immediate execution. Colonel Kirk, who, with a disposition naturally brutal, had acquired the habits of a savage nation among whom he had resided, seemed to find his pastime in superintending these horrid executions. Jefferies, the chief justice, prostituted the authority of office, and the sanction of law, to cover a congenial spirit of cruelty, and, regardless of every exculpatory circumstance, doomed to infamous punishment those who were suspected to have been favourable, but in their hearts, to Monmouth, or who had indulged the dictates of humanity, in endeavouring to conceal any of their friends who had joined his standard. Almost every trial in this bloody circuit affords the most shocking examples of partiality, petulance, oppression, and barbarity, on the part of the judge[7]. Though the king professed to have been ignorant of these enormities, when he perceived the detestation they excited throughout every part of the kingdom, yet we are warranted to conclude, that, in his sight, they appeared highly meritorious, especially as the execrable perpetrators of them were honoured with signal marks of royal favour. Jefferies, stained with blood, and loaded with the curses of the people, found a welcome reception into the presence of his sovereign; and, as if it had been for the reward of his iniquity, was dignified with a peerage, and soon after invested with the office of chancellor[8].

Arbitrary measures

But nothing could render the victory of the king over his disaffected subjects more beneficial to the nation, and more hurtful to himself, than the inducing him to drop the mask, and with openness and precipitancy to pursue those arbitrary measures, which, if they

[7] Coke. Burnet. [8] Burnet, &c

had

had been covered with artifice, and carried on with prudence, might have taken effect, ere his people were aware of danger, and rivetted upon their necks those chains, from which no future efforts could have delivered them. No extraordinary degree of sagacity was now requisite, to penetrate into the nature of his temper and of his designs; the spirit of bigotry actuated and pervaded every measure he undertook; zeal for his religion was the central point, to which, by an irresistible power of attraction, all his thoughts, affections, and actions, were drawn; even arbitrary power, in his estimation, was only a secondary object: his enthusiasm far outstripped his ambition; and if he wished to extend his prerogative, it was chiefly with a view to strengthen his hands, as a faithful champion and son of the church. The importation of catholic priests, the erection of mass-houses and of popish schools, and a numerous host of superstitious proselytes, were, in his apprehension, the most splendid trophies that could adorn his crown and signalize his reign[9].

and bigotry of the king.

9 On the first sabbath after his accession, the king openly attended the Roman catholic worship. He was desirous, at the same time, of avoiding the censure of innovation. He published a declaration subscribed by the late king, professing his adherence to the faith of Rome; as if the opinion of a prince so notoriously indifferent with respect to all religion, supposing that opinion had been well authenticated, could have operated to the conviction of any man, guided by reason or principle. He invited Roman catholic priests from foreign countries, and encouraged them to exercise their functions openly, and in defiance of the law. A Roman catholic bishop was consecrated within his own chapel at Windsor. Laymen of the same communion were made king's counsel, judges, lords lieutenants of counties, sheriffs, justices of the peace, and mayors of corporations. Lord Castlemain was sent ambassador to the pope, to solicit, in the name of the king, the re-union of England with the holy see, and to implore his forgiveness.

In Ireland, all regulations and laws for maintaining the protestant religion were set aside. The army was new modelled, protestant officers were deprived of their commissions, upon the most frivolous pretences: some, because they had served under a republican government, a stain, which, at the restoration, extended over the whole army and navy in England; others were dismissed, on account of original guilt, being descended from parents who had served under the protector. Whole regiments were disbanded, it was suspected, for no better reason. To prevent the power of resistance, under any provocation whatever, the arms of the protestant militia were called in. The rashness and oppression of these measures were rendered more flagrant and intolerable, by the violent temper of the agent employed to carry them into execution. By the advice of father Petre, lord Tyrconnel was promoted to the lieutenancy in Ireland; in the room of lord Clarendon, whose moderation and religion rendered him obnoxious to all who wished well to the popish interest. Dalrymple, Ap. p. 262. Clarendon's Diary, passim. A Letter to a Protestant in Ireland.

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He applies to parliament for an augmentation of the army.

The rebellion of Monmouth furnished the king with a plausible pretext for rising in his demands for supplies, and for proposing an augmentation of his standing army; while, at the same time, it manifested, in an alarming view, how resolutely he was devoted to the interest of the Roman catholic church. After representing the militia as inadequate to the defence of the nation, upon such emergency as that which had lately occurred, he informed them, that he had dispensed with the law, in giving commissions to many officers who had not taken the tests in compliance with the act of parliament. He pleaded success and gratitude, as ample vindications of this measure, and announced his firm purpose of persevering in a plan of government equally unpopular and unconstitutional.

Intimates his dispensing with the tests.

9th Nov.

The house of lords thanked the king for his speech, without any reserve, or any mark of discontent.

The commons remonstrate against dispensing with the tests. 9th Nov.

The commons were not so tame, nor so careless, as to overlook the dangerous tendency of those measures which the king avowed and justified. They voted and drew up an address, representing to him, that the tests could not by any means be dispensed with; and praying him to dismiss those officers who were, by repeated statutes, disqualified from entering into his service. But while they guarded the constitution with firmness, they were not incapable of viewing, with indulgence and respect, or even backward in seconding with liberality, those sentiments of gratitude which the king expressed towards his catholic subjects. They brought in a bill to indemnify such of that persuasion as had served in the army against Monmouth, and, at the same time, to reward them with pensions [10].

Oppose the augmentation of the army.

Next to the dispensing with the tests, the augmenting of the standing army was the most unpopular measure which his majesty could have proposed to his parliament. The day of implicit obedience was now at an end. The augmentation of the army was warmly opposed. The militia was recommended as the safest mode

[10] Journ. Commons, 14th and 16th November.

of

of national defence; and, in oppoſition to the language of the king's ſpeech, their ſervices againſt Monmouth were held to be the moſt important and illuſtrious.

The debate cloſed with a motion for a bill for the better regulating of the militia[11]. The ſum of ſeven hundred thouſand pounds was agreed to by the houſe, as a ſupply to his majeſty, without any deſcription or limitation of the purpoſe to which it was to be applied.

The king angry with the commons.

To the addreſs of the commons the king replied in terms of ſharp reprehenſion, and, by a new evidence of a temper, obſtinate and untractable, rouſed alarm, and ſuggeſted to them the neceſſity of a general combination, to repel thoſe encroachments which, if ſuffered to paſs unnoticed, threatened the total extirpation of their religion and liberties. He ſaid, he did not expect to have received ſuch language from his commons, eſpecially after his known character for truth; and yet the very meaſure which gave occaſion to the addreſs, was a flagrant violation of the promiſe he made to his people upon his acceſſion to the throne.

The lords review the king's ſpeech.

The imprudence of the king's reply, and the ſhock it gave to the intereſt of the court, were ſoon evident, from a change in the temper of the houſe of lords. They had before unanimouſly approved of the king's ſpeech, without attending to that clauſe which intimated his reſolution of diſpenſing with the teſts; and their negligence and precipitancy had drawn upon them the cenſure of many who were ſincerely attached to the conſtitution. The purpoſe of the king, repeated in his anſwer to the commons with an air of defiance, invited the immediate and ſpirited exertions of the patriotic lords. They now moved for a review of the ſpeech, with a premeditated intention to concur with the commons in teſtifying their diſapprobation of his having announced his reſolution to diſpenſe with the teſts[12]. The tardineſs and the irregularity of the motion afforded the friends of the court ſpecious grounds for oppoſing

[11] Journ. Commons, 12th November.

[12] Journ. Lords, 19th November.

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it. The importance of the ſubject, and the magnitude of the danger, over-ruled a ſcrupulous adherence to forms, and the motion for reviewing the ſpeech was carried by a great majority [13].

The king, aware that his parliament, in their legiſlative capacity, might have conſiderable influence in obſtructing thoſe favourite meaſures to which in vain he had attempted to render them ſubſervient, formed the purpoſe of an immediate prorogation. He ſacrificed his intereſt to his bigotry, and preferred the alternative of loſing the ſum of ſeven hundred thouſand pounds, voted by the commons, to the neceſſity of abandoning the meaſures he had already adopted in behalf of thoſe of his favourite communion. The parliament was prorogued from the tenth of November to the tenth of February one thouſand ſix hundred and eighty-ſix.

Parliament prorogued.

Influence of the king declines.

From the prorogation of this parliament, we trace the decline of the power of James. The attachment of his proteſtant ſubjects was totally effaced by the dangers impending over their religion; his reputation for prudence and for integrity, lately ſo eminent, was impeached; the tone of adulation began to die away; individuals, and aſſociations of men, who hitherto had been the warmeſt advocates for prerogative, at laſt became monuments of the folly of their favourite doctrines, and were driven by inevitable neceſſity to purſue thoſe meaſures, which, in ſpeculation, they held to be criminal. Prerogative, it is true, became more active and more reſolute in its execution, but, like thoſe tumours which ſwell the body in the laſt ſtage of diſeaſe, in proportion as it was ſtretched, its vital powers were declining.

Few alterations at the beginning of this reign were made in the miniſtry, as it ſtood at the death of Charles II. Lord Rocheſter was high treaſurer; lord Godolphin, who had been formerly at the head of the treaſury, was appointed treaſurer to the queen; the marquis of Halifax was removed from the privy ſeal to be preſident

[13] Ralph.

of the council; the earl of Clarendon ſucceeded him in the office of privy ſeal.



From an exaggerated conceit of his own abilities, and a habit of application, the only accompliſhment in which he excelled his brother, the king was determined to be his own miniſter; and while this reſolution prevented perſons of greater integrity and honour from interfering in his counſels, it laid him open to the influence of others, who, from intereſted purpoſes, or a congenial ſpirit of bigotry, flattered his prejudices, abetted his arbitrary ſchemes, and precipitated him into ruin [14].

Character of Sunderland.

Lord Sunderland, though he had oppoſed the perſonal intereſt of the duke of York in the late reign, was not only admitted into adminiſtration, but quickly ſurpaſſed all his colleagues in the ſhare he held of his maſter's confidence, and diſplayed an aſcendency over his counſels, which he maintained to the eve of the revolution. His introduction to the favour of the prince, and his growing influence, were promoted by the patronage of the queen, whoſe ſolicitations and advice, on various occaſions, were diſcovered to ſway the inclinations of her huſband, often contrary to the maxims of prudence, and the ordinary rules of attachment. From that jealouſy, which is often found to ſubſiſt between the relations of the huſband by different marriages, Clarendon and Rocheſter became obnoxious to the queen, more than any of the other competitors for the royal favour. They were the neareſt relations of the king's children. To the hereditary loyalty of their father, who had been oppreſſed by faction, they had added perſonal ſervices of high deſert, and by their ſteady zeal for the intereſts of the duke of York, during the dependence of the excluſion bill, laid him under ſtrong obligations of gratitude, and eſtabliſhed a claim of preference to the honours which he now had it in his power to diſpenſe. The queen wiſhed to attach to her intereſt ſome perſon, whoſe diſtinguiſhed abilities and

[14] Burnet.

 obſequi-

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obsequiousness to his master, might serve as a counterpoise to that immoderate influence, which, she had reason to fear, would now devolve upon the relations of the king by his first marriage. The character of Sunderland prompted him to solicit, and qualified him to obtain, the destined preference. Habits of profusion required liberal resources, and rendered him anxious to retain his employments, as the means of gratifying them. An uncommon capacity for business, cultivated by experience in the official line, justified a recommendation to the most important employments, and insured credit and advantage to his patron. By insinuation, flexibility, industry, in all of which he was a proficient, he obtained a preference to persons of purer virtue, who were engaged with him in a competition for favours. The diversified operations of the same predominant disposition were never more conspicuously displayed, than by the opposite conduct of Shaftsbury and Sunderland. Alike enslaved to ambition, they exerted every nerve, and every faculty, to gratify it. The different methods adopted by them for this end, marked the dissimilitude of their tempers. Shaftsbury, impetuous and over-bearing, assaulted the forts of power by storm and by violence: Sunderland, timid, crafty, submissive, attempted to gain possession of them by the less suspected, but not less successful, plan of mining and ambuscade. The one, by alarming the fears of his sovereign, expected to subdue his mind to a reluctant compliance with his ambitious schemes; the other, by flattering his weakness and prejudices, insinuated himself into his confidence and favour. With a flexibility, inconsistent with any shadow of principle, he approved, he flattered, he abetted the various humours and measures of every master whom he served. Though a violent exclusionist, he retained his office, and a great share of court interest in the late reign, by the address and assiduity with which he cultivated the favour of the king's mistress, the duchess of Portsmouth. By the same dexterous accommodation of manners, he now gained the

3 good

good graces of the queen, and was selected by her to be the head of that party by which she intended to undermine the influence of the family of Clarendon [15]. Her expectations were not disappointed. He quickly engrossed the confidence of his master; he became a convert to his religion; honoured priests and confessors; joined in their consultations; and prompted, as it is suspected, the most violent attacks upon the established religion and government [16].

Of Petre.

Father Petre, his confessor, was the oracle to whom James resorted with implicit faith, and regarded at last as his political, as well as his religious, preceptor. As if it had been to publish his defiance of national prejudices, no disguise was used to conceal the affection and the deference he paid a person, whose profession and character justly rendered him obnoxious to the odium and the jealousy of his protestant subjects. He was made clerk of the closet, and admitted a member of the privy council; and that his majesty might enjoy frequent and easy access to his private conversation, apartments were assigned him within the precincts of his palace. Petre was a man of slender abilities, and a scanty proportion of learning, but of an enthusiastic and furious spirit, which rushed upon its favourite object, without discerning the obstacles which intervened; ignorant of every rule of prudence, and of the most common arts of managing the tempers of men. To his ascendency over the mind of the king, and of his consort, were ascribed the openness, the precipitancy, the violence of those plans in support of the Roman catholic religion, disapproved of by its more prudent adherents; and found upon trial, to be no less destructive to the purposes they were intended to serve, than they were to the interests of the royal family [17].

Of Jeffries.

But of all the instruments of the king's arbitrary measures, there was none more infamous and more detested, by all orders of men, than Jeffries, whom he advanced to the head of the law. While

[15] Reresby, p. 223. [16] Ralph. [17] Orleans.

recorder

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recorder of London in the late reign, he had diſtinguiſhed himſelf by the activity with which he oppoſed the petitions for the meeting of parliament, and promoted the addreſſes of abhorrence. The court marked him as a fit tool for oppreſſion and violence. He was preferred to be a puiſné judge, and afterwards to be chief juſtice of the king's bench. In his private character, he was inſolent, profane, licentious, intemperate, rapacious. By the ſuperciliouſneſs of his behaviour, he diſguſted ſome of the moſt ancient and ſincere friends of the royal family, and made them withdraw from office, and from attendance upon court. As a pleader at the bar, he was petulant, ſuperficial, turbulent, calumnious; as a judge, partial, over-bearing, arbitrary, mercileſs. Under ſo corrupt a judge, the laws were not only deprived of all their ſalutary protecting influence, but converted into engines of vengeance againſt all thoſe who had meritoriouſly fallen under the royal diſpleaſure. Under ſuch a corrupt judge, the reflecting part of the nation beheld, with grief and aſtoniſhment, the laws ſurrendered to that arbitrary will which they were intended to control, and made ſubſervient to the oppreſſion and the miſchiefs which they were intended to counteract[11].

The king retains in his ſervice the officers who had not taken the teſts.

Regardleſs of the addreſs and remonſtrance preſented by the commons, the king ſtill retained in his ſervice thoſe officers who refuſed to ſubmit to the teſts. Though the parliament, in a ſtate of prorogation, was debarred from an opportunity of repeating remonſtrances, and of entering into a fair conteſt with their ſovereign, yet, while the courts of juſtice were open, it was not to be expected, that a people, inſpired with a proper ſenſe of the value of liberty, would be ſo ſhamefully overawed, as not to bring to a legal examination claims of prerogative, pregnant with deſtruction to the conſtitution, and to the religion of their country.

Aware of this attack, the king was preparing to meet it with the moſt effectual, and, oſtenſibly, the faireſt weapons of defence. Hav-

[11] Warrington. Life of Lord Guilford.

CHAP. VII. 1686.

ing founded the sentiments of the judges, and displaced such as were suspected of being inimical to usurpation, he at last accomplished a trial of the legality of the dispensing power, in circumstances most favourable to his wishes. The question was not brought forward at the instance of any individual of rank, or of any confederacy or association of men who had a real interest in the issue of it; or who would have felt, with indignation, the injury of a partial decision. A servant of colonel Hales, a Roman catholic, was instigated, by the emissaries of the court, to lodge an information against his master, for not having complied with the tests, and to claim the legal premium of five hundred pounds, payable by the offender. His suit was brought before the county assize at Rochester, when colonel Hales produced the king's letter, excusing him from obedience to the tests. The prosecutor next carried his action to the court of king's bench: the cause was argued feebly and coolly in behalf of the informer: every nerve of ingenuity and diligence was exerted by the lawyers for the crown, to defend and legalize the royal dispensation. It was accordingly confirmed by the sentence of the court[19].

Trial of the dispensing power.

April.

Thus armed with the sanction of the law, the king was resolved to push the advantages of victory, and to exercise, in a wider range, that branch of the prerogative which had hitherto been palliated with the pretence of gratitude, and confined to those officers, who had meritoriously served him during the rebellion of Monmouth.

His first attempt for this purpose, was made upon the Charterhouse hospital: a letter was issued under the royal seal, directed to the governors, requiring them to admit a pensioner upon the fund, without exacting any subscription or recognition of his conformity to the church of England, or the oath of allegiance; qualifications expressly required by the will of the donor. This attempt

The king exercises it in the Charterhouse hospital, 17th Dec.

[19] Echard.

to

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to violate the laws of the foundation, and to thwart its pious purpofe, was refifted with fidelity and fpirit by the truftees, upon whom the king threatened to wreak his vengeance[20].

In the univerfity of Cambridge.

The univerfities of Oxford and of Cambridge opened the moft tempting profpects to the afpiring votaries of the Roman religion. If they could once poffefs themfelves of the fountains of fcience, how eafy would it be to purify the ftreams that flowed from them? The faith of Rome would again acquire an approved and ftable dominion in the hearts of the people of England.

Elated with thefe expectations, the king endeavoured to obtain a precedent for the promotion of catholics in the univerfities, by writing a letter to doctor Peachel, vice-chancellor of the univerfity of Cambridge, commanding the admiffion of Alban Francis, a benedictine monk, to the degree of mafter of arts, without adminiftering any oath whatfoever, notwithftanding any law to the contrary. The king's letter was laid before the confiftory, and it was unanimoufly refolved, that they could not comply with his defire, without breaking their oaths. He was ftung with difappointment; and the vice-chancellor, whofe duty it was to announce the refolution of the univerfity, was fummoned to appear before the ecclefiaftical commiffion, and fentenced to lofe his office.

February.

7th May.

In Magdalen college, Oxford.

While yet embroiled in the difpute with Cambridge, James made an attempt to exercife the fame unlicenfed and obnoxious power upon the univerfity of Oxford, in an affair where the confequences were ftill more momentous, and more obvious to the apprehenfion of every fpectator. The office of prefident of Magdalen college had become vacant, by the death of doctor Clark: the emoluments of the office were confiderable, its dignity illuftrious, and the power belonging to it extenfive. The royal mandate was iffued, requiring the college to elect one Farmer, a jefuit prieft, to be their prefident; accompanied with a difpenfation,

11th April.

[20] Ralph.

exempting

exempting him from the oaths required by law, and by the ſtatutes of the univerſity. The loyalty of the univerſity of Oxford had ſurpaſſed the example of any other public body of men in the reign of the king's father; and had been experienced by James himſelf, during the dependence of the bill of excluſion, when he ſeemed to be forſaken by all his friends. From theſe conſiderations, his majeſty might, perhaps, expect more implicit obedience than he met with at Cambridge; though, ſurely, attachment was ungenerouſly repaid, when it was put to the teſt of betraying a ſacred truſt, and wounding at once the honour of individuals, and the moſt precious intereſts of the corporation. The ſtatutes of the univerſity, which by ſolemn oath they were bound to obſerve, required a conformity to the doctrine of the church of England, as an indiſpenſable qualification of every candidate for any office in the univerſity. The king, to whom they had proffered unlimited obedience, required them to elect a jeſuit prieſt, to fill one of the higheſt offices in the univerſity. Their moral and political creed ſtood in direct contradiction to each other:—What were they to do? they were ready to reſign their rights, their fortunes, and their lives, to gratify the deſire of their ſovereign: they acknowledged no ſecular authority, nor any conſideration, public or private, to reſtrain or circumſcribe their obedience, and they might boaſt, therefore, with truth, a loyalty which was bounded only by the laws of heaven. But here they ſtopped: this was the term of their obedience. They refuſed to trifle with the ſacred obligation of an oath: they pleaded honour, conſcience, the merit of paſt ſervices; but they pleaded all in vain. The king remained ſullen, obſtinate, inflexible.

Upon the day of election, eleven votes were given for doctor Hugh, a man reſpectable for learning and abilities, and connected with the college by the office he already filled. Two members beſtowed their votes upon Farmer, agreeably to the deſire of the

 king.

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king. The new president immediately complied with the usual forms, and entered upon the execution of his office.

The vice-president and fellows were cited to appear before the ecclesiastical commission; Dr. Hugh was deprived of his new office; and Dr. Fairfax the vice-chancellor suspended [22].

Dangerous power of the ecclesiastical commission. Aug. 1686.

These acts of oppression and arbitrary power, following immediately the institution of a new ecclesiastical commission, indicated such a premeditated plan of tyranny, and such a preparation for an assault upon the established religion, as might well justify the agitation and the alarm of his protestant subjects. The violent proceedings of the high court of commission had drawn the greatest odium upon the king's father, and, by a statute after the restoration, it was declared illegal, and for ever abolished. The change of a name, and the variation of a few external forms, were but a futile device to impose upon the understanding, and to suppress the murmurs, of an insulted nation; while its spirit, intention, and capacity of doing mischief, were the same. The members of this court were nominated by the uncontrolled voice of the king; they were empowered to inquire into all offences and misdemeanors committed by persons belonging to ecclesiastical corporations, universities, grammar-schools; and to proceed against them as the nature and the quality of the offence, ascertained by evidence, or even imputed by strong suspicion, might require. Censure, suspension, deprivation and excommunication, were the terrific weapons, which were to be pointed against crimes unmarked by any legal description; and the very existence and aggravation of which, in point of fact, were referred, without the intervention of a jury, to the decision of judges subservient to the pleasure of the court. The purpose of this new judicatory had been clearly manifested in their first proceedings against the bishop of London, whom they had suspended

[22] State Trials.

from

from his office, because he had declined to gratify the resentment of the king, by a violation of all the forms of law and justice[23]. They now again became the instruments of royal vengeance against the fellows of St. Magdalen college, Oxford, who had resisted his usurped authority. They pronounced a sentence, by which the offenders were disabled from holding any church preferment.

The king uses means to obtain a corrupt parliament.

To those who entered with anxiety into the state of the nation, it seemed extremely doubtful, whether they had most to hope or to fear from the meeting of a new parliament. A parliament modelled by the intrigues, and attached to the interest, of the court, would irretrievably seal the usurpations of prerogative, and give the last fatal wound to their expiring privileges. Such apprehensions were unavoidable, when they observed the artifices and the indefatigable exertions used by the king, to accomplish a legal ratification of the indulgences which he had already granted, and farther intended, to those of his own religion. He now devoted a great part of his time to counsellors, judges, and gentlemen of property; in order to discover their sentiments, and to engage them to support his fa-

[23] In order to curb the influence of argument, when it was repugnant to his favourite principles, the king issued letters, prohibiting the clergy to touch upon subjects of controversy, under the pretext that it might tend to disturb the peace of government. Notwithstanding these orders, Dr. Sharp, rector of St. Giles's, had taken the freedom, in a public discourse, of impugning the arguments in defence of popery, and of representing the weakness of those, who, having been educated protestants, had become proselytes to that religion. The king, offended as if he had been personally attacked, directed a letter to be written, in his name, to the bishop of London, complaining of Sharp, and desiring, that he might without delay be suspended from the exercise of his office. The bishop respectfully acknowledged the king's letter; but observed, that he could not, consistently with the forms of law, suspend Sharp without a citation and an hearing. At the same time, to testify his respect to the royal command, he intimated, that Dr. Sharp was willing to discontinue the exercise of his office till he should be restored to his majesty's favour.

The offence of the bishop was now considered as surpassing that of Dr. Sharp, and he was summoned to appear before the court of ecclesiastical commission for having refused obedience to the king's command. He pleaded in his defence, the arguments which he had used in his answer to the king's letter; he objected to the retrospective power of the court, which pretended to take cognizance of an offence, if such it might be named, previous to the date of its commission. His defence and objections were over-ruled; he was treated with insult by the judges, and suspended from his office. State Trials, vol. iv.

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vourite measures, in their private and official characters[24]. To enlarge the sphere of personal influence, he made a progress through several of the counties of England; and embraced every opportunity of conversing with the nobility and gentry on those subjects, which were ever uppermost in his thoughts. He argued, promised, threatened, in order to work conviction, or to extort approbation. He was diligent in gathering information concerning the principles of others, to whom he had not personal access. The lords lieutenants of the counties received orders to assemble deputies and justices of the peace, within their districts, to discover what line of political conduct they intended to pursue; and particularly, whether, if returned members of parliament, they would vote for the repeal of the tests, and the penal statutes; and promise to support only the election of such candidates as should be disposed to comply with the king's pleasure. The information, derived from these various channels of inquiry, was intended for the direction of the lords regulators, a new denomination of commissioners, appointed to inquire into the legal qualifications of voters, and the political sentiments which they held[25]. Though the first was the professed object of their jurisdiction; yet it was well understood, that the last was the true object of their creation, and the secret spring of all their decisions.

The new modelling of boroughs by writs of *quo warranto*, was now pursued with the same violence as had been done in the late reign; and employed to diminish that interest, which it was originally contrived to support: an instructive warning to men, precipitated by the violence of party spirit, to take care, lest the base desire of resentment should tempt them to give way to precedents, which may one day be turned to their own destruction. In every instance where the authority of the new commissioners was exercised, the influence of the members of the established church was

[24] Orleans. [25] Life of Lord Guilford, p. 213.

impaired.

impaired. Diffenters were introduced into corporations: they were advanced to magifterial dignity: they were deftined to be the reprefentatives of the people in parliament[25].

Difappointed.

The addrefs, the induftry, and the new and unconftitutional regulations employed by the court, did not meet with the fuccefs expected from them. The king was afraid of fubmitting the fate of his favourite fchemes, to the precarious decifion of parliament. Unable to brook difappointment, and unwilling to recede from his fond refolutions, he now feemed determined to accomplifh the performance of them, by means the moft defperate and alarming to the nation. Notwithftanding he had loft a fupply of feven hundred thoufand pounds, by an abrupt prorogation of parliament; yet he had managed his revenue with fuch dexterous economy, as to be able to maintain a larger army than had been known in any former period of peace. He had ordered that army to be put in warlike array, and encamped on Hounflow-heath; as if the kingdom had been threatened with immediate invafion by a foreign power.

Orders his army be encamped.

Declaration for liberty of confcience.

4th April 1687, 24th April 1688.

Thus prepared to bid defiance to the laws, the king publifhed a declaration for liberty of confcience; and expreffed his firm purpofe to difpenfe with oaths and tefts for the future. This declaration was attended by an order from him in privy council, that it fhould be read through all the churches in England; and that, for this purpofe, the bifhops fhould caufe it to be fent and diftributed through their refpective diocefes. By this refolution the king filled up the meafure of infatuation, ingratitude, and tyranny; and haftened the crifis of national deliverance. The church of England had embarked their all with his father; and had fallen with him. Their intereft, and that of monarchy, had been confidered as infeparable. From the period of the reftoration, they had magnified the prerogative; and had inculcated the moft abject fentiments of

4th May 1688.

[25] Echard, Kennet.

paffive

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passive obedience. But they were not even suffered to be passive subjects of tyranny: they must do violence upon themselves: they must become the instruments of their own destruction: their obligations to fidelity in their profession, must yield to their engagements of allegiance to the prince. Six bishops, together with the archbishop, met at Lambeth; and, after solemn consultation, resolved, not to be accessory to ensnare the consciences of the officiating clergy: but to take the whole blame upon themselves, by refusing to obey the order of the privy council; and to transmit the king's declaration. If there had remained in the breast of the prince the smallest regard to prudence, the refusal of such a body of men might have warned him, that he had already advanced to the utmost verge of wanton authority. It was, as if a voice from heaven had announced, "No farther shalt thou go." A petition from the bishops, drawn up in the most respectful terms, was pronounced an aggravation of their offence. They were committed to the Tower: they were tried for publishing a seditious libel against his majesty and his government: they were acquitted. The temper of the nation was conspicuously displayed in every stage of their prosecution. Innumerable spectators, with groans, and tears, and prayers for their safety, beheld them carried along as criminals to prison. When the sentence of acquittal was pronounced, Westminster-hall, the city, and the camp, resounded with acclamations of joy.

The bishops refuse to transmit it to their dioceses.

18th May.

They are imprisoned, 8th June. Tried and acquitted, 15th June.

APPEN-

# APPENDIX.

*Inquiry whether the Prince of Orange was acceſſory to Monmouth's Invaſion.—He is accuſed by D'Avaux—by James—by Father Orleans.—Arguments in Vindication of the Prince of Orange.—The Reflections of Mr. Macpherſon, upon the Conduct of the Prince of Orange, unfounded and illiberal.*

Inquiry whether the prince of Orange was acceſſory to Monmouth's invaſion.

WHETHER the prince of Orange had any part in adviſing, or in promoting, the expedition of the duke of Monmouth, is a queſtion which very materially affects his character, and belongs to the political hiſtory of that period. The whole conduct of the prince of Orange, towards the duke of Monmouth, is repreſented in ſuch a view, and placed in ſuch a connexion by ſome hiſtorians, as to refer to Monmouth's expedition; and by others, the contrivance of it is, in direct terms, laid to his charge. Let us attend to the arguments adduced upon either ſide of the queſtion, and to the characters of the hiſtorians who ſupport them with their credit and authority.

He is accuſed by D'Avaux;

D'Avaux, the French reſident in Holland, deſcends into a minute deſcription of the aſſiduous attentions exerciſed by the prince and princeſs of Orange, to flatter the vanity, and court the friendſhip, of Monmouth, while he continued in Holland, during the latter part of the reign of Charles II. The prince of Orange ordered his guards to ſalute Monmouth, a mark of reſpect ſeldom paid to any but the legitimate relations of the royal family: he allowed him to enter into his private apartments, with the familiarity of a domeſtic: he conſulted with him often, and upon affairs of moment: he beſtowed the moſt important favours upon his recommendation: he departed from his natural reſerve and gravity, by entering into thoſe gay amuſements which were adapted to the frivolous taſte of his gueſt. The princeſs of Orange, in obedience to the orders of her huſband, ſcrupled not to ſtoop to ridiculous and even indecent levi-

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ties, for the amusement of her relation. These extravagant condescensions, it is insinuated, were not made without a view of ensnaring the confidence and acquiring an ascendency over the mind of Monmouth, destined as a tool to work out the dark schemes of William, ever political and projecting [1].

More directly to the purpose, it is asserted by the same author, that, upon the news of the death of Charles II., the prince was shut up in close consultation with Monmouth, at midnight [2]. That after his departure to Brussels, he maintained a constant correspondence with Mr. Bentinck, the prince's greatest confident: that he afterwards returned to Amsterdam, where he lived *incognito*, and made the necessary preparations for his expedition into England; circumstances too important to escape the knowledge of the prince: who, when applied to by Skelton, the ambassador of James, to stop two vessels in the Texel, retained for the service of Monmouth, contrived delays, in order that they might escape; and that he did not exert himself, with zeal and activity corresponding to his duty and engagements to James, to discover and counteract the consultations and projects of the English refugees associated with Monmouth [3].

The same historian mentions his having heard, that the king of England had found letters written by the prince of Orange, which discovered the intelligence he had with Monmouth; and that he had afterwards met with a contract between William and Monmouth, in which both consented to promote the princess of Orange to the throne, provided that Monmouth was allowed to hold the first place of authority in the kingdom [4].

By James;

King James, in positive terms, ascribes the invasion by Monmouth to the counsel and assistance of his son-in-law; and assigns this plausible reason, which induced him to depart so flagrantly from the ties of affection, and the professions of filial respect and duty, which he

[1] D'Avaux, 18th and 25th January 1685.
[2] Ibid. 22d February.
[3] Ibid. 8th March, 19th April.
[4] Ibid. 30th May 1686.

openly

openly made. "As the prince had only two rivals, who stood be-
" tween him and the throne, the most obvious policy suggested
" to him the playing the one against the other; and in prosecu-
" tion of this design, to instigate Monmouth to invade the throne
" of England: an attempt, which, in every issue of it, must ne-
" cessarily be productive of his private advantage. The success of
" the duke of Monmouth, if it happened, would demonstrate the
" inclinations of the people of England, to prefer an imperfect
" title to the throne, when the interest of religion was at stake.
" The illegitimacy of his birth, as well as his unfitness for govern-
" ment, would easily induce the nation, upon cool reflection, to
" transfer their affections to the prince and princess of Orange, the
" next lawful heirs of the protestant persuasion. But if an event
" more probable should take place, if Monmouth should be de-
" feated, and his person fall into the hands of the king, the prince
" might expect to succeed to his interest and friends, and to advance
" one step nearer to the throne of England[5]."

The single fact, adduced in support of these conjectures concerning the ambitious speculations of William, is, that Bentinck, who was sent by him to congratulate king James upon the defeat of Monmouth, was visibly alarmed and perplexed, when he was informed, that the king had consented to admit Monmouth into his presence, lest he should purchase his pardon by discovering the treachery of the prince of Orange, and "that he was never at ease "till Monmouth's head was cut off[6]."

by father Orleans.

Father Orleans not only coincides with James in accusing the prince of Orange of being privy to, and assisting, the expedition of Monmouth, but is at pains to remove an objection to this opinion, which might be drawn from the prince's conduct in sending Bentinck to make an offer to James of the troops of Holland, and his personal service against Monmouth. This, he alleges, was occa-

[5] Life of James, 1685, Extract 4.  [6] Ibid. November 26, 1685.

 sioned

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sioned by the imprudent ambition of Monmouth, who, contrary to the terms of agreement between him and William, had assumed the title of king, and provoked resentment in that quarter from which he expected to have drawn assistance[7].

Let us attend to the evidence on the other side:

Arguments in vindication of the prince of Orange.

The trifling anecdotes, relative to the intercourse between the prince of Orange and Monmouth, and the civilities the former shewed the latter, happened previous to the death of Charles the Second, and cannot fairly be imputed to any immediate view to the throne of England; and, with still less propriety, can they be admitted as a proof of the prince's participation of Monmouth's expedition, occasioned by an event at that period contingent and unexpected. Though Charles the Second was much under the influence of his brother, and, in order to discourage Monmouth from interfering with him in the succession to the throne, had announced external expressions of displeasure against his son, yet, as he still loved him with great tenderness, it can scarcely be believed, that he was dissatisfied so much, as he professed to be, with the distinction and kindness with which his nephew treated Monmouth when his guest. This reason the prince of Orange assigns in a letter to his confident Bentinck, in which he complains of Mr. Chudleigh's insolence, for having reproved him for it in name of the king[8]. "He is the son," says he, "whom he has pardoned for the faults he has committed, and "though he has removed him from his presence, I know that, in "the bottom of his heart, he has always some friendship for him, "and that the king cannot be angry with him." There is a note in Monmouth's pocket book, seized when he was apprehended, from which it appears, that Charles could not suppress his affection for him,

[7] Orleans, 1685.

[8] Chudleigh, instead of addressing the prince to remove Monmouth, addressed the Dutch officers, and forbad them to salute him, which so provoked the prince, that he lifted his hand to Chudleigh. Secret History, vol. ii. p. 9. The prince had ordered his troops to pay military honours to Monmouth, because he had served with him as a general in the Netherlands.

him, even at the time that he put him under diſgrace. "He "could not," ſays he, "diſſemble his ſatisfaction, he preſſed my "hand [9]."

D'Avaux himſelf, in the ſame way, accounts for the prince of Orange's diſregard to the public orders he received from England, by continuing to entertain Monmouth at his court. "The prince," ſays he, "has not loſt his underſtanding, but he muſt have been "quite bereft of it by ſuch behaviour towards the king of England, "if he had not been aſſured, that his majeſty was ſecretly pleaſed "with it [10]." And after the acceſſion of James, he ſays, upon the authority of count de Waldeck, "that the late king of England was "very well pleaſed with the prince's honourable treatment of "Monmouth [11]."

From theſe teſtimonies it appears, that William did not loſe ſight of prudence while he careſſed his exiled friend. The public and avowed will of princes often expreſs a direct contradiction to their private wiſhes and affections, and are ſo interpreted by the perſons to whom they are addreſſed. It is not improbable, that the prince of Orange had full aſſurance, that while he violated the orders of the king, formally announced by the mouth of his ambaſſador, he gratified the affections of the parent, and formed the moſt acceptable pretenſions to the gratitude of his uncle. Independently of all prudential conſiderations, may not ſome influence be aſcribed to the temper and inſinuating manners of Monmouth? He poſſeſſed ſome ſhare of the wit, and all the graces of his father, freed from the awe and reſtraint impoſed by elevation of rank. It is no wonder if theſe qualities at times tempted the prince to lay aſide that auſterity, which a life, haraſſed with care and tumult, and occupied with the moſt important buſineſs, had increaſed to a degree offenſive to his moſt familiar friends. From the intimacy that ſubſiſted between Monmouth and the prince of Orange, it might naturally be ex-

9 Wellwood, Ap. No. 14. 10 D'Avaux, 25th January 1685. 11 Ibid. 1ſt March.

 pected,

pected, that they would mutually converse and consult together upon any business of importance to either of them. That they did so, upon the news of the death of the king of England, may be fairly admitted; but since the result of these consultations has not transpired, no criminality can be inferred from them, nor do they carry any evidence of the prince's interference with the expedition of Monmouth.

The story, which D'Avaux mentions, of the king of England having found letters of the prince of Orange, which discovered his correspondence with Monmouth, and of his having found a contract between the prince and Monmouth, bears no marks of authenticity; it is only hearsay evidence. Not one of the authors of the story is named. The subject of the letters is not specified; the contract, it is admitted, was not signed. The contents of it; namely, that the princess of Orange should be queen of England; were quite irreconcilable with the determined resolution of William, not to hold the crown of England in dependance upon his wife. It is remarkable, that James, in the history of his life, takes no notice of having found such a contract and such letters; an omission unaccountable, when we consider how much this discovery would have reflected upon the character of the prince of Orange. Not the least credit can be given to a story so vague, so ill supported, so full of contradiction and absurdity.

With regard to the backwardness of William, in not seizing the ships supposed to be retained for the service of Monmouth, and in not doing what he might have done to obstruct his expedition; the first of these; namely, the seizing of the ships retained for the service of Monmouth, was the proper duty of the court of admiralty at Amsterdam, and the blame of not doing it falls to its charge [12]. The circuitous, cumbersome forms, arising from the constitution of the States, afford persons in administration a specious pretext for

[12] Ralph, vol. i. p. 855.

the delay of bufinefs which they do not cordially wifh to promote. The connexion which William had formed with many of the Englifh refugees, who were friends to Monmouth, with views, no doubt, political, though not criminal, rendered him unwilling to make a ftrict inquiry about them, or to do any thing to forfeit their efteem and affections, though he might not be privy to their immediate defigns. The States, who might have co-operated with William in any effectual fearch after the difaffected fubjects of James, entertained ftrong prejudices againft that prince on account of his religion, and the fufpicion they entertained of his having fomented the divifions between them and England, during the reign of his brother. The protection of ftrangers is a fundamental principle in the conftitution of the States, and a delicate, inflexible adherence to it might, upon this occafion as well as upon others, be interpreted a connivance at thofe who claimed the benefit of fuch protection. D'Avaux fuggefts arguments, which ferve for the exculpation of William from any fhare in Monmouth's expedition. The prince, according to his teftimony, advifed Monmouth to write a letter to James upon his acceffion to the throne, affuring him of his entire fidelity and obedience as a fubject[1].

With regard to the remarks contained in the life of James, they are merely conjectural, and are evidently tinged with the fufpicion and the refentment generated by his misfortunes. The life of James was compofed, while he lived in a ftate of degradation and exile, depreffed, doubtful, perhaps defpairing, of the future reftoration of his family. Though his own imprudence was the caufe, the prince of Orange, however unblamably or laudably, was the immediate inftrument of the difgrace and calamities with which he was loaded. Is it matter of furprife, if difappointment and refentment magnified, in the conception of James, every circumftance, which appeared to him ungenerous and immoral in the conduct of his

[1] D'Avaux, 27th February, 1685.

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ſon-in-law; or that he imputed to him a ſhare in every previous plot and aſſociation, which had contributed to diſturb his peace, or ſtrip him of his dignity? When we think that any perſon has grievouſly injured us, indignant imagination accumulates his crimes beyond the bounds of evidence, and puts a conſtruction upon preceding actions, which did not enter into our minds when unruffled by paſſion, at the time that they firſt paſſed under our review, and which, to the unprejudiced and diſintereſted judge, appear harſh and inadmiſſible. We charge our adverſaries with motives and projects, which either exiſted not at all, or were evidently ſuggeſted by circumſtances poſterior to the date affixed to their commencement, by the partial and the exaſperated mind.

The offer which the prince made by Bentinck, of ſerving in perſon at the head of the troops againſt Monmouth, is a ſufficient confutation of his being concerned in that expedition. "This might "be granted," ſays father Orleans, "if it were not for this conſi-"deration, that Monmouth's having aſſumed the title of king, in "direct violation of the contract between him and the prince, pro-"voked the latter to lend his aid to thwart the ambition of the "former, and, at the ſame time, to pretend to great merit by the "offer of his ſervices to his father-in-law." But the diſproof of this allegation reſts not upon conjecture, but upon a matter of fact. When Bentinck was ſent over to make an offer of the Dutch troops, the prince of Orange was ignorant of Monmouth's having aſſumed the title of king; for he was firſt proclaimed at Taunton, upon the very day that Bentinck had his audience at Whitehall[14].

How improbable the ſtory concerning the apprehenſions of the Dutch ambaſſador, when he heard that Monmouth was to be admitted into the preſence of the king, leſt he ſhould diſcover the treachery of his maſter? The habitual prudence and reſerve of William, the openneſs and levity of Monmouth, rendered it to the

[14] Biogr. Brit. vol. ii. p. 210. Secret Hiſtory of Europe, vol. ii. p. 18.

laſt

last degree improbable, that the former, whatever he wished or intended, would have put himself entirely in the power of the latter, by expressing, or even in the most distant manner insinuating approbation of his conduct, or by entrusting him with a secret, which might one day be divulged, to the injury of his own reputation, and to the utter ruin of his interest in England. Or, if he had imprudently ventured so far, would he have provoked Monmouth to expose his shame; by openly sending an ambassador, to congratulate James upon the suppression of a rebellion, which he himself had instigated? And why should the ambassador only dread a personal interview between James and his rebellious nephew? Might not Monmouth by writing, or at second hand, by a verbal message, have imparted the fatal secret? He did actually write a letter to James. To what purpose? Not accusing, but in the most express terms acquitting the prince and princess of Orange, of all share and participation of his crime. He moves it as a mitigation of his guilt, that it was not the offspring of his own heart, but the suggestion of evil counsellors; and as an evidence of this, he adds, that the prince and princess of Orange will bear witness for me, that I gave my promise to them, that I never would stir against your majesty [15].

With regard to the character of father Orleans as an historian, it is of importance, once for all, to observe, that whatever occurs to invalidate the evidence of James, in this or in any other instance, produced to impeach the character of the prince of Orange, may with equal force be urged as an exception to the authority of Orleans. Orleans professes to derive all his information from James, and even boasts of taking up his pen, at his desire, and in his vindication [16].

To what has been already observed, I may add, that many external circumstances, as well as the behaviour and true interest of the

[15] Echard, vol. iii. p. 771.

[16] See Preface to his History.

prince

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prince of Orange, suggest strong arguments for his acquittal of the charge of instigating the rebellion of Monmouth. Impelled by every motive of prudence, the prince of Orange discovered the most anxious solicitude to maintain a strict friendship with his father-in-law, after his accession to the throne of England. Involved in domestic and foreign dangers, his authority as stadtholder, constantly opposed by the city of Amsterdam, which watched every opportunity to impair or overturn it, stood upon a tottering basis. The restless ambition and resentment of France had destined his destruction. The only probable means of securing his personal authority, and the peace and independence of the States, seemed to flow from the succour and the friendship of England. He was at this very time negociating an alliance against France, to which the accession of James was essential, and he entertained the most sanguine hopes of obtaining it. With regard to his views on the succession of the crown of England, they were more likely to be obstructed, than promoted, by the expedition of Monmouth, whatever the event of it might be. The success of Monmouth, if it had taken place, would not have been easily overturned. His defeat could only tend to discourage the hopes and future attempts of the disaffected party in England, to increase the power and establish the throne of the reigning prince, and to remove, till the event of his death, all hopes of that elevation, at which the prince of Orange is represented to have precipitately grasped, by encouraging and aiding rebellion.

The reflections of Mr. Macpherson upon the conduct of the prince unfounded and illiberal.

I have the more largely insisted on this subject, because a modern historian, Mr. Macpherson, has not only decided peremptorily concerning the prince of Orange's connexion with Monmouth, in his expedition against James, but, by an artful arrangement of his story, represents his conduct towards Monmouth, for many preceding years, as formed and directed with a view to that event[17]. The following sentence, particularly deserves to be attended to, because it seems

[17] Macpherson, vol. i. c. 7.

to

to fuggeft matter-for confutation of the opinion which it contains. " The generofity of the prince," fays he, " equalled not his pro-" feffed zeal for the fervice of Monmouth. The unfortunate duke " derived from his own plate and jewels, his whole treafure for pro-" fecuting the war [13]." Is it not unfair to affume as a fact, what is not proved; nay, what is fo much againft evidence; namely, the zeal of William for Monmouth's fervice? Is there not adduced by himfelf, a ftrong prefumption againft what he afferts as a fact? He gave him no money. Was that like zeal for his fervice?

After all, the arguments now adduced are to be confidered as referring to this fingle queftion, " Whether there is any reafon " to believe, that the prince of Orange advifed, or abetted, the " expedition of Monmouth? Whether he was a partner in his " guilt?" The prince of Orange, we may naturally fuppofe, from the period of his marriage, had his thoughts much turned towards the throne of England. He cultivated an intimate connexion with many perfons obnoxious to the difpleafure of his uncle and of his father-in-law; his motives for fo doing might be of a mixed nature. He was not infenfible to the charms of ambition; the throne of England might one day devolve upon him in the line of fair fucceffion, and prudence fuggefted a watchful eye to the ftate of parties, and to the ufe of all lawful means to increafe his friends, and ftrengthen his intereft. Nor would it be candid to withhold credit to him for more generous motives. He was a true friend to the proteftant religion. Though enough anxious about maintaining his own authority at home, he wifhed alfo to fecure the independence of his native country, and to fave it from the invafion of an ambitious neighbour, who had marked it for his prey. The political conduct both of Charles and of James interfered with his private intereft and moft liberal purpofes; and we need not wonder, that, in his turn, he endeavoured to thwart their meafures, and for this end embarked

[13] Macpherfon, vol. i. c. 7

 with

with thoſe in England, who ſtruggled for the depreſſion of regal power, and the ſecurity of liberty and of the proteſtant religion [19].

[19] We find in the Life of Principal Carſtairs, by Dr. M'Cormick, an inſinuation of the prince of Orange having been acceſſary to Argyle's rebellion; an event generally underſtood to have been connected with Monmouth's invaſion. "In a paper of accounts of money "diſburſed by him for the prince's ſervice, I "find a ſum ſtated to a captain Wiſhart, who "was maſter of the veſſel in which lord "Argyle went home; *of whoſe honeſty and "willingneſs to ſerve the prince, I am well "aſſured.*" Life of Carſtairs, p. 35.

Dr. M'Cormick adds, "This is the only "evidence I have ever met with, that Mon-"mouth and Argyle were countenanced in "their undertaking by the prince of Orange. "Here we have William giving money to the "perſon who brought Argyle over, in order "to aſſiſt the duke of Monmouth in his re-"bellion, at the very time when he is offer-"ing to James to come in perſon to extin-"guiſh that rebellion. The publiſher leaves "it to political caſuiſts to ſolve this phæno-"menon."

It does not appear, that Carſtairs gave this money to Wiſhart as a reward for having carried Argyle to Scotland, or that it was given with the knowledge, or by the direction, of William. In the ſeries of political intrigues the prince of Orange was carrying on in Scotland, juſtifiable by a regard to his own intereſt, and alſo by a zeal for the cauſe of liberty, he muſt of neceſſity have left a diſcretionary power to his principal agents, both with reſpect to the concerting of meaſures, and the beſtowing of money. Mr. Carſtairs might approve of Argyle's expedition, though William was ignorant of it; and might pay Wiſhart money upon that very account, out of the fund which was put into his hands for the ſervice of the prince and his friends in general, without any ſpecification of the articles to which it was to be applied. Intruſted with a diſcretionary power, the agents of the prince, from motives of delicacy, in the caſe alluded to, might conceal both the meaſures and diſburſements which they authoriſed. Conſidering the needy condition of William's friends in Scotland, and the expence of their political negotiations, it is probable, that the maſter of every ſhip, ſailing from Holland or Scotland, whom they could truſt, would receive money from William's agents, to tranſmit to their friends, in repayment of ſums which had been advanced, or were to be advanced in carrying on the patriotic cauſe. Unleſs the purpoſes for which this ſum was paid had been mentioned, or the privity of William to it aſſerted, his character contracts no ſtain from this diſcovery.

## C H A P. VIII.

*Immediate Caufes of the Revolution.—The bigotted Attachment of the King to the Roman Catholic Religion.—His Claim to the difpenfing Power.—The Abilities, Activity, and Intrigues, of the Prince of Orange.—Political State of Europe.—Union among the States of Holland.—Ill Fortune and imprudent Conduct of James.—The Declaration of the Prince of Orange.*

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Immediate caufes of the revolution.

FROM the facts recited above, we can be at no lofs to account for that entire change in the temper of the nation, which paved the way for the fubfequent revolution of government. But, in order to enable the reader clearly to underftand the political hiftory of that period, it may be ufeful to point out the immediate connexion between caufes and effects; to enlarge more fully upon thofe meafures of government, which fpread alarm and difaffection; to enter, in fome meafure, into the motives, reafonings, and paffions, which pervaded the generality of the people, and combined the efforts of men of the moft oppofite principles and interefts, to work the national deliverance. Signal revolutions, in the ftate of nations and government, are rarely accomplifhed by any fingle event, however important, or by the fole operation of internal caufes. A happy coincidence of contingent events, and of the difpofitions and interefts of thofe who are not fo immediately affected by them, are neceffary to give fuccefs to enterprifes, which, though arifing from oppreffion, and conducted with wifdom and courage, might have been expofed to the charge of rafhnefs and criminality, if they had failed of the fuccefs at which they aimed.

The bigotted attachment of the king to

1. The evident defign of the king, to encourage and to propagate the Roman catholic religion, and the means employed to carry

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the Roman catholic religion.

that deſign into execution, were juſtly alarming to the great body of the people; impeached his wiſdom and integrity, with the reflecting part of mankind; and impaired the attachment of thoſe who were beſt affected to his perſon and government. The undiſturbed exercife of his own religion he might have enjoyed, not only without loſs of reputation, but, perhaps, with advantage to his character. There is ſomething in principle, however wild and unreaſonable it may appear, which excites a reverence for the perſon who maintains it; and when the fervour of oppoſing zeal abates, and the quiet poſſeſſion of our own opinions is ſecured from aſſault and danger, the ſteadineſs of thoſe who differ from us, raiſes our opinion of their integrity, in a proportion which more than compenſates for the impeachment of their judgment. We eſteem the virtues of the heart; we pity, rather than condemn, the errors of the head. The openneſs and reſolution of the prince, in having avowed his converſion, at a period when it endangered his ſucceſſion to the throne and interrupted domeſtic tranquillity; his conſiſtency and perſeverance in the ſame profeſſion, placed for a while, in an illuſtrious view, his character for ſincerity. A favourable opinion of his ſincerity, obtained implicit credit to whatever he declared. His promiſe at his acceſſion, repeated in his firſt addreſs to parliament, to maintain the eſtabliſhed religion and government, removed every gloomy apprehenſion, and gave entire ſatisfaction to his proteſtant ſubjects. But when the prince forfeited the character of ſincerity, when his actions and meaſures were directly repugnant to his promiſes and declarations; eſteem and loyalty declined apace; the apprehenſion of danger roſe to the utmoſt pitch. It was no longer reſtrained by that perſonal attachment, which oppoſes the tender feelings of affection to the dictates of prudence and a ſenſe of duty. The moſt ſincere friends of the king, were thoſe who, from principle, were ſtill more cordially wedded to the intereſt of the church of England. What could the prince mean, by his promiſe to main-

maintain the eftablifhed religion; or, what could the nation expect from this promife, but that he was to allow the legal difadvantages, impofed upon thofe of a different perfuafion, to continue as he found them at his acceffion to the throne? Was it not the labour of his reign, by artifice and violence to remove them? Was there one ftone of the partition wall allowed to ftand? If catholic officers were admitted into the army; if members of corporations were not required to conform to the eftablifhed church; if fchools and univerfities, as much the fountain of prejudice as of truth, were to be open to the moft learned and intriguing of the church of Rome, in what fenfe could the eftablifhed religion be faid to be maintained? By what fophiftry or refinement of argument could the royal honour be vindicated; or, the prince held forth as a model of truth and fincerity?

But, allowing that the king had been bound by no promife, and that he might, confiftently with honour, have done all that he could, to fupport and to promote his favourite faith; yet his fchemes were neither concerted with deliberation, nor executed with prudence, adequate to the arduous tafk he wifhed to accomplifh. Many interefting events, which had occurred in the reign of his father and brother, and his own experience of a narrow efcape from degradation and exile, might have afforded this prince the moft affecting evidences of the deep-rooted averfion of the people of England, againft the Roman catholic religion. If, notwithftanding thefe, confcience impelled him to rufh upon difficulties and dangers; prudence demanded the utmoft exertion of ingenuity, in devifing methods to diminifh and to overcome them. On the contrary, all his fchemes were precipitate, violent, and, to the laft degree, alarming to thofe who had any intereft in oppofing them. He was like a vain and rafh general, who, relying entirely upon his own undaunted courage, not only defpifes artifice and ftratagem, but, with frantic infolence, proclaims to his enemies the quarter towards which he next intends to direct his arms, ere he has

yet

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yet made the neceſſary preparations for the attack. The ſilent, but powerful influence of exalted ſtation, if it had not been attended with a deſiance of law, might have gone far to gratify his fond deſire of proſelytiſm; and could hardly have failed, in progreſs of time, to have attracted a reſpectable number of followers. The motives, by which the king might, imperceptibly, have moulded the inclinations of the more ſelfiſh and intereſted part of his ſubjects; the authority of perſons of rank and unſteady principle, whoſe mean ſervility would have led them to prefer the religion of the court; muſt have produced a wide influence, and gained over many converts to the royal faith. Had he patiently waited the operation of theſe cauſes, before he had recourſe to open and violent meaſures for converting his ſubjects, the impreſſions he would have made, and the ſucceſs he would have gained, might have divided the inclinations and the ſtrength of the nation, and cramped thoſe reſources, which invited a ſagacious prince, to the certain proſpect of working out his own elevation, and the deliverance of an oppreſſed people. An ambaſſador commiſſioned to attend the court of Rome, and to ſolicit a reconciliation to the kingdom of England: Roman catholics inveſted with dignity and office: a Roman catholic biſhop conſecrated within the walls of the chapel royal: Monks, Jeſuits, Recollects, Carmelites, who had hitherto ſculked in darkneſs and obſcurity, received at court, crowding to places of the moſt public reſort, and eſſaying converſions in the face of day; were ſuch unequivocal annunciations of the king's intentions, as at once overturned the confidence hitherto repoſed in his promiſes, and called for the moſt ſpeedy and boldeſt weapons of reſiſtance.

His claim to the diſpenſing power.

2. The claim of the diſpenſing power, exerciſed in favour of the Roman catholics, and ratified by the judges, ſpread an univerſal alarm, multiplied the number of the diſaffected, and haſtened thoſe ſchemes and conſultations which tended to a revolution of government. If it were the object of inquiry, to aſcertain the point of law as it then ſtood, with reſpect to the diſpenſing power of the crown,

 or

or to determine concerning the integrity of the judges, who formed that unpopular decision, which so much agitated the friends of liberty, it would, for that purpose, be incumbent upon me, to collect examples of the claims and the practice of the kings of England from the earliest ages, and of the resistance and concessions of the people, so far as they relate to this subject. The result of this inquiry would be such, as attends every other question, relative to the interfering privileges of different component branches of any government, before it has attained a mature form and regular establishment. Fluctuating interests, changing prejudices, the ebb and flow of regal power, afford various and contradictory precedents, and, of consequence, specious authorities in support of inconsistent propositions. But, without entering into the debates on the force of state precedents, when opposed to national freedom and happiness, and without seeking for counter-precedents, which abound in the history of our constitutional struggles, to balance these authorities, the present occasion afforded ground peculiar to itself, for arraigning both the wisdom and the integrity of those, who sided with prerogative, in the momentous question, which now rivetted the attention, and roused the zeal of every patriot. Particular penal statutes had been enacted for the sole purpose of securing the safety of the royal person, or maintaining the dignity of the crown. Prudence and mercy might concur in recommending a mitigation or suspension of these. There are seasons, when lenity may tend to soften that outrageous disaffection, which the rigid execution of law cannot subdue, and when mercy dictates, and justice does not forbid, the generous interposition of prerogative. The king might wave the exercise of penal authority, with which the law had intrusted him for his own defence and advantage; just upon the same ground, that every private person may forbear to prosecute the man who has encroached upon his right, when the rigorous exaction of law can only contribute to the accumulation of injury and of danger to himself. In other instances, where, from the

oversight

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overfight of the legiflature, or the change of circumftances, a rigid profecution of law would counteract the fpirit of the conftitution, and become oppreffive to individuals without any benefit to the public, the king, though the guardian of the laws, might fuffer them to be neglected or tranfgreffed with impunity. And ftill, with greater propriety, might his connivance be admitted in cafes, where expediency and public intereft, acknowledged by the unanimous voice of the people, recommended it. But, in the prefent queftion, without the fhadow of refpect to any of thefe confiderations, without any motive drawn from public advantage, or his own private fafety, the fovereign preferred his claim to the difpenfing power, in order to extort from his fubjects the moft valuable immunities, affured by the uniform tenor of the laws. By thefe his majefty's proteftant fubjects had acquired an exclufive property in all public offices, ecclefiaftical, civil, and military. If the king, without their confent, could deprive them of this privilege, or, by virtue of the prerogative alone, abrogate any law, which, without the advice of the national reprefentatives, he could not frame: what was there in the rights of an Englifhman that remained independent and fecure? But it was not merely the narrow view of intereft, that called forth refiftance; though, upon that ground, it might have been vindicated, by every principle of reafon and of juftice. Their religion they held to be dearer than their fortunes or their lives. Their religion their fathers and themfelves had laboured to fecure, by every means of affurance and defence, within the compafs of the laws. But, if thefe were to be overturned by the breath of an arbitrary monarch, how vain their paft labours! how difmal their future expectations! What a notorious breach of faith in the prince; and how mortifying to thofe who were affected by it! Nothing fo much exafperates the mind, as the reflection of having been duped by the perfons in whom we moft confided, and whofe interefts we intended to ferve, by the very conceffions which have been turned againft us. During the dependence of the

queftion

queſtion concerning the excluſion, all parties were of one mind in reprobating the Roman catholic religion. The only difference of opinion aroſe, from the various modes propoſed, in order to guard againſt the dreaded miſchief. Some contended, that nothing leſs than an abſolute excluſion of a popiſh heir, could ſave the religion of the nation; while others profeſſed to believe, that teſts and penal ſtatutes were adequate to every purpoſe of public intereſt and private juſtice, to maintain at once the line of ſucceſſion unbroken, and the privileges of the ſubject inviolate. The perſonal friends of the duke of York filled the laſt claſs. Of the effect and the ſtability of the laws, they entertained not the ſmalleſt ſuſpicion. If it had ever been imagined, that a power of diſpenſing with the laws was affixed to the crown, the diſpute would have been ſpeedily brought to an end, and the preſent king never would have been permitted to graſp that authority, which he now ſtretched to the confuſion of his friends, by thwarting all thoſe declarations of maintaining the proteſtant religion, upon which they had too implicitly been engaged to lean.

There are certain propoſitions, which appear intuitively ſo prepoſterous, that it is impoſſible any deſcription or argument can add to the diſapprobation and abhorrence with which they are contemplated by every ſound and upright mind. If a king be veſted with a diſcretionary power of diſpenſing with the laws, what remains deſerving of the name of a free conſtitution, or of a ſettled government? Acts of parliament become a collection of inſignificant letters; judges and courts of juſtice not more important than a piece of theatrical pageantry. The ſecurity of every thing ſacred and valuable is at an end, and the inhabitants of Britain would enjoy no pre-eminence over the wretched ſlaves, who bow with terror and implicit ſubmiſſion to the edicts of a tyrannical deſpot. Far from pre-eminence, every circumſtance of mortification and of wretchedneſs muſt belong to thoſe, who formerly made their boaſt among

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the nations. Men born in flavery cannot comprehend the value of a bleffing they never experienced; and the fympathy of fpectators often exceeds the bounds of their fufferings. The elevation of mind, formed by the habit of liberty, plunges the man who is bereaved of that liberty, into the loweft abyfs of mifery and defpair [a].

Men, of every ftation and party, yielded themfelves to the deep impreffion of thefe fentiments. The religion and the rights of their country were interefting concerns to every patriotic and generous heart. Thofe who, in the former reign, had invariably exalted the prerogative of the prince, now opened their eyes to dangers, which, in a moment, overturned their fpecious theories. They perceived that there was a point, at which fubmiffion ought to end, and refiftance to begin. Thofe who were attached to the perfon and family of the prince, lamented with unavailing forrow, that incurable bigotry, which pufhed him headlong upon irretrievable deftruction. It was no longer neceffary to tell men what their grievances were, or to inflame their imaginations, by exaggerated defcriptions of them. They felt them; they were ever prefent to their view; they apprehended the full extent of their danger. Some expedient for redrefs, fome plan of deliverance, was the object, in which the wifhes of every party centered; and when propofed, might be expected, without any previous concert, to collect the cheerful efforts of the nation. The fmalleft deviation from the eftablifhed government was likely to be adopted with the moft unanimous confent, and effected with the greateft eafe and expedition. The experiment of republican government had been already tried by the nation, and the anarchy and tyranny which fprang from it were remembered with difguft. Perfons who were loyal in principle, but who loved the conftitution and religion more than the prince,

[a] Warrington's Works. Sir Edward Herbert's Defence. State Trials.

if

if nothing less than his deposition could secure these, would naturally transfer their allegiance to the next lineal and legitimate heir. The religion of the prince of Orange, his illustrious talents, as a statesman and as a warrior, his near relation to the royal family, recommended him as the fittest instrument, to deliver the nation from impending ruin, and to maintain, unimpaired, the prosperity and the constitution of England.

The abilities, activity, and intrigues of the prince of Orange.

3. The activity, vigilance, and intrigues of the prince of Orange, coincided exactly with the necessity and the desires of the people of England, and contributed to accomplish a revolution of government, with expedition and unanimity, which could not have happened, under the conduct of a person, less distinguished for abilities, or by blood more distantly related to the reigning prince. In order to illustrate this observation, it is of importance, not only to attend to those facts, which clearly evince the interference of the prince of Orange in the political affairs of England, but also to investigate the motives and views by which that interference was attracted, and the purposes to which it was conducted. Ambition is a passion so prevalent in the human mind, that we seldom admit of any other motive, as the spring of those measures which terminate in the enlargement of power. But, as power is the instrument of beneficence, as well as personal aggrandizement, it is but fair to inquire into the means by which it has been sought, and the use to which it has been applied, before we pronounce sentence concerning the character of the man who has pursued it with uncommon success.

The prince of Orange, almost upon his first entrance into the world, was doomed to share in the misfortunes of the royal family of England. His private fortune was impaired, by the generous assistance which his father gave to Charles II., to enable him to recover the throne of England. Oliver Cromwell, from an implacable resentment to the family of Stuart, whose power he wished to extirpate in all its branches, made it an express condition of restor-

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ing peace to Holland, that the infant prince of Orange ſhould be diveſted of all his dignities, and that the office of ſtadtholder ſhould not be revived at any future period[2]. The connexion of blood, and the participation of ſuffering, did not beget any warmth or partiality of affection in his uncles towards their nephew, nor did they conſider themſelves as under any obligation, to raiſe him to a ſhare of their proſperity after the reſtoration[3]. Charles II., and his brother the duke of York, from the influence of their education in France, ſeem to have imbibed a peculiar averſion to the States of Holland. In the courſe of private converſation and correſpondence, when free from the reſtraints of policy, they were known to expreſs themſelves, concerning the character of the Dutch, in terms hardly conſiſtent with decency and good manners[4]. Of the two wars with Holland, in the reign of Charles II., one of them was commenced againſt the general approbation of the people of England, and both carried on with ardour and pique, on the part of the king, that indicated too much of the ſpirit of a private feud. At a period when the bounty of France to Charles was withdrawn, and when he was compelled to uſe every artifice to regain the declining affections of his ſubjects, he was perſuaded, by lord Danby, to approve of the addreſſes of his nephew to the lady Mary, and to recommend him to be her huſband. The private manners of William, grave, ſtern, and reſerved, were but little calculated to win the affections of a prince, gay, jocoſe, voluptuous; while, at the ſame time, his political principles formed a direct contraſt to thoſe of Charles, and of his father-in-law the duke of York. Far from contributing to the aggrandizement of one ſo nearly related to the royal blood, Charles, as we have already ſeen, without remonſtrance or interpoſition, beheld him ready to ſink under the violent and unprovoked oppreſſion of his imperious neighbour, the king of France. He not only

[2] Hiſtoire de Stadthouderat. [3] Life of Clarendon, vol. ii. p. 226. [4] Dalrymple, Ap. p. 4, 5.

thwarted.

thwarted the inclinations of his people, by declining to enter into an alliance with his nephew, who, at the time of his greatest extremity, made him a visit for that purpose; but he did not even vouchsafe the salutary aid, stipulated by existing treaties, which he was bound in honour and justice to fulfil. In the predominant prejudices of the English nation, the prince of Orange found sentiments more consolatory and more favourable to his interests. His inveterate enmity to France, his sedulous application to business, his known zeal for the protestant religion, rendered him the favourite of the popular party in England. It afforded no small relief to those, who were filled with distressful apprehensions concerning the fate of religion and of government, to reflect, that the illustrious person, so nearly allied to the crown, was, by a sympathetic attachment, inclined, and by his wisdom and courage excellently qualified, to rescue them in the day of danger. On the other hand, a respect to the protestant religion, and the independence of his native country, as well as a fair attachment to his own patrimonial interest, recommended to the prince a diligent improvement of every opportunity, for cultivating the good opinion and affections of so powerful, and so respectable a body of the English nation. The cold treatment he received from his father-in-law, whose superstitious zeal rendered him insensible to the claims of kindred, suggested to the prince the hazard he might run, if he trusted his views upon the succession, to propinquity of blood, or to the precarious influence of equity and law. During the internal commotions of Holland and England, in preceding periods, particular factions in both countries had often entered into reciprocal engagements of friendship and support. The pensioner De Wit, in the former war between Holland and England, made use of the services of the popular party there, to check and to counterpoise the malevolence of the court, towards the States[5]. Instructed

[5] Secret History of Europe, vol. ii.

by

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by the ſucceſs of his example, William could not deem it either impolitic or unlawful to correſpond with the ſame party, for promoting the united intereſts of both countries. Would it have been prudent, to have overlooked or deſpiſed the voluntary advances of many reſpectable members of the legiſlature, of whoſe exertions he might one day avail himſelf, in compaſſing the object of a juſtifiable ambition, and in ſecuring what he conſidered to be his lawful inheritance? Independent of all future views, or expectation of ſucceſſion to the throne of England, the emergency of his affairs at that period, and the preſervation of the dignity and rights derived from his anceſtors in Holland, demanded not only the alliance; but the moſt vigorous interpoſition of the Engliſh nation. Diſappointed of the ſupport he expected from his royal relations, he neceſſarily had recourſe to the plan of forming and of ſtrengthening his connexions with that party, which ſtood in oppoſition to the meaſures of the court. The firſt public evidence of this connexion, and of his reſpect to the ſentiments of the popular party in England, appeared, by the interference of the Spaniſh and Dutch ambaſſadors, in urging Charles to conſent to the bill of excluſion; and by a memorial to the ſame purpoſe, in name of the States, drawn up by Fagel, the prince's confident and adviſer [6]. It is not eaſy, without attending to the circumſtances now recited, impartially to enter into the motives of the prince of Orange's conduct, without whoſe concurrence this memorial could never have been preſented to the court of England. We cannot tell, how far he might find it indiſpenſible to gratify the wiſhes of his friends both in England and Holland, in order to preſerve the credit he had acquired with them; or how far he might be ſeriouſly affected with the proſpect of danger to the proteſtant religion and the liberties of Europe, ariſing from the influence of a popiſh ſucceſſor to the crown of England; and to what degree,

[6] D'Avaux, 1681. Life of James, 1681.

according to these sentiments, public spirit and virtue might, with propriety, control delicacy and the dictates of natural affection. His first interference in the politics of England, from whatever principle it flowed, invited an unfavourable construction, as it seemed to deviate from the tenderness of filial affection, and to indicate a premature snatching at power, to the injury of the person through whom he derived his claim to it.

After the accession of James to the throne of England, fair professions of esteem were interchanged between the father and the son-in-law; but an almost uninterrupted series of altercation and mutual complaints demonstrated to attentive spectators, how far they were removed from cordial harmony, in affection or political schemes. As the inclinations of James were notoriously unfavourable to the views of his son-in-law, his zeal for the catholic religion, if successful, would certainly weaken the influence of that party, upon which the hopes of the latter depended, and certainly deprive him of the means of obtaining justice, in his claim to the succession. The protestants were daily declining in numbers and power, while the Roman catholics, and those who were ill disposed towards Holland and the Prince of Orange, were increasing in dignity and influence. But not only the prospect of future elevation, but the preservation of the authority he already possessed, rendered him deeply interested in the success of that party in England, which thwarted the favourite measures of the court. The prerogatives of the Stadtholder, which he had with difficulty recovered, were preserved by a continued exertion of political address. The city of Amsterdam, instigated by the intrigues of Lewis, embraced every opportunity to circumscribe the power, and to affront the person of the prince. The reduction of the navy and army of the States, was the object of perpetual struggle[7]. The

[7] D'Avaux, vol. iv.

army

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army of France had repeatedly over-run the principality of Orange, the private property of the prince; and, from the obvious plan of the policy of that court, it might be expected, that they would seize the first opportunity of rending and dividing the provinces of the States. The alliance of England was the object, to which the prince wishfully turned his eyes, as the only means of averting those impending encroachments, and of maintaining, undiminished, his own authority, and the dominion of the States. In such circumstances, a neutrality, with respect to the politics of England, was incompatible with his sagacity and patriotism. The growing discontents of England he now inspected with a vigilant and an anxious eye. Englishmen of rank, who, either from disgust or accident, resorted to Holland, were invited to his court, and entertained with the most condescending attention. Some of them, who were esteemed worthy of trust, were admitted into private conference with the prince. From their information, he was enabled to penetrate into the present state and temper of the English nation: and, through the channel of their correspondence, to communicate to their friends his disapprobation of the measures of the court, in order to confirm the attachment, and animate the resolutions of the popular party. He was at the same time cautious and reserved, lest he should alarm the jealousy of the court, by an open or a premature gratification of the wishes of his friends. When solicited to interpose, by a remonstrance against the erection of the ecclesiastical commission, he reflected that matters had not yet come to such an extremity, between the king and his people, as to justify to the world a public interference in the affairs of England; and that his preparations were not yet in a sufficient state of forwardness, to enable him to redress the grievances of his friends, or to secure any permanent establishment to himself [a]. No prudent ex-

[a] Burnet.

pedient

pedient was, in the mean while, neglected, to haften the crifis, when a feparation between the interefts of his friends, and thofe of James, might be declared with fafety and effect. While the freedom of the prefs was reftricted in England, by the jealoufy of the court, publications iffued from Holland, to diffufe among the people a fenfe of the arbitrary nature and the dangerous tendency of public meafures. The imprudence of James at laft afforded his fon-in-law an opportunity of publicly interpofing in the affairs of the nation, and of making an open avowal of his fentiments, upon an occafion the moft favourable to the advancement of his intereft. One Stewart was fent over to Holland, to folicit the prince to declare his confent to the repeal of the tefts and the penal ftatutes. In order to allure him into a compliance with a meafure fundamentally effential to James's fcheme for eftablifhing the Roman catholic religion, the marquis of Albeville, the Englifh envoy at the Hague, was inftructed to make the faireft declarations of friendfhip to him, in the name of his mafter; and, as a more irrefiftible bait, to hold out the profpect of a treaty of alliance againft France [9]. But, although the name, and, ftill more, any real evidence, of the friendfhip of England, would have been highly beneficial to the prince, in enabling him to overawe the violent oppofition, which began to thwart all his fchemes of domeftic policy, and to fhake the foundations of his authority, as ftadtholder; yet he did not choofe to facrifice to thefe, his attachment to the proteftant religion, and his credit with his friends in England. In anfwer to the earneft intreaties and

[9] This accounts for the fair profeffions of friendfhip which James made to William, and which fo far alarmed D'Avaux, the French ambaffador, that he expreffes the greateft anxiety, left a cordial union between James and the prince of Orange fhould actually take place. D'Avaux, vol. iii.

James earneftly wifhed to obtain the confent of his fon in-law to his fcheme of toleration: perhaps too he wifhed to make the Englifh believe that he had feparated himfelf from France, becaufe it was popular. The prince of Orange was at the fame time fincerely defirous of being believed to be on good terms with the king of England, in order to overawe the city of Amfterdam, bent upon reducing the army, and abridging his power. D'Avaux, vol. iii. paffim.

arguments, used by the ambassadors of James, to obtain his consent to the repeal of the tests and penal statutes, the prince made a declaration of those sentiments, to which he ever afterwards adhered with consistency and firmness. He professed his approbation of universal toleration, and of the abolition of the penal statutes; but refused to consent to the removal of the tests, which he held to be the only barrier against the entire overthrow of the protestant religion in England. The most successful operations were at the same time carried on, in behalf of the interest of his master, by Dyckevelt, who was sent ambassador to London, for managing the ordinary business between the king and the States, but secretly invested with a trust of a more delicate nature. He was directed to sound the sentiments of the leading persons in England; to embrace every safe opportunity of communicating, in the name of his master, those private instructions which were calculated to gain upon their affections, and to procure a coalition of all parties. To the friends of the church he gave the strongest assurance of the prince's respect for the established religion. To the dissenters he laid open the snares into which they had been decoyed by the favours and the flattering promises of the court. They were entreated to wait with patience for a scheme of comprehension; and if that could not be obtained, they were assured of a toleration, upon the most liberal plan. Some of the most learned and eloquent preachers among the protestant dissenters, who had withdrawn to Holland, from the dread of the king's resentment, now returned to England, at the desire of the prince, to co-operate with Dyckevelt, in preventing their being divided, by the intrigues of the court, from the rest of their protestant brethren[10]. After the departure of Dyckevelt, count Zulestein was sent over, ostensibly for the purpose of carrying compliments of condolence to the queen, upon the death of her mother the duchess

Burnet.

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of Modena; but, in fact, to profecute the bufinefs already begun by Dyckevelt. The fuccefs of thefe negociations was fully anfwerable to the expectations of William. The marquis of Halifax, the earls of Shrewfbury, Devonfhire, Danby, Nottingham, lords Mordaunt and Lumley, admirals Herbert and Ruffel, held daily confultations in private with the Dutch ambaffadors, and through them imparted their views and advice to the prince of Orange. Lord Mordaunt was commiffioned by this party to wait upon the prince in Holland, and to enter into a full difcuffion of his views with refpect to the affairs of England [n].

While thefe negociations were fecretly carried on by the Dutch ambaffadors, copies of the prince's letter, in anfwer to the king's repeated folicitations for his confent to the repeal of the tefts, were circulated through all the counties of England. A declaration, which left the fentiments of the next heir to the crown no longer doubtful, and which expreffed the ftrongeft affurances of protection to the eftablifhed church, and of toleration to every fect, had a remarkable effect in multiplying the number, and ftrengthening the confidence, of the prince's friends. As there now appeared the moft preffing neceffity for having recourfe to foreign aid, in order to refcue the nation from domeftic oppreffion, the authenticated views of the prince, fo moderate and fo falutary, were liftened to with general approbation, and the hearts of all parties prepared to entertain him with a cordial reception, fo foon as the critical moment fhould arrive of his ftanding forth the avowed deliverer of the nation. To be fully prepared for

[n] In confequence of the negociation of Dyckevelt and Zuleftein, a correfpondence was opened between the prince of Orange and fome of the principal nobility in England. The letters of this correfpondence form a part of Sir John Dalrymple's Collections, Ap. part 1ft, p. 186, &c.

Moft of thefe letters refer to declarations made to Dyckevelt and Zuleftein when in England, or to what they were commiffioned to fay to the prince in Holland; all of them contain high profeffions of refpect to him. Some of the writers referve their loyalty to James; and even infinuate, that the beft method of fhewing it, was by promoting the prince's defign. None of the letters are fpecific as to any plan of national deliverance. The letters of Halifax and Nottingham are very cautioufly worded, and rather fuggeft deliberation and delay.

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this event, under the pretext of guarding againſt the encroaching power of France, he applied to the States for ſupplies neceſſary to recruit the army, and to augment the fleet; and the aſſiſtance he received was applied with expedition, judgment, and as much ſecrecy as the nature of the buſineſs would admit. Neither did he rely for the ſucceſs of this important event upon the internal ſtate and diſpoſitions of the people of England, or the military force he was able to carry along with him from Holland. He availed himſelf of every circumſtance, he improved every opportunity and argument calculated to make any impreſſion upon the ſurrounding powers of Europe, and to render them propitious to his enterpriſe. By diſplaying, with ſagacious penetration, the moſt alarming views of the ambition of Louis, he intereſted not only the proteſtant, but the popiſh princes of Europe in his cauſe; and, with wonderful addreſs, perſuaded them to forget religious predilections and ancient feuds, while they united their counſels and exertions to accompliſh the depreſſion of France, the deliverance of England, and his own elevation [12].

Political ſtate of Europe.

4. As the intereſts of the prince of Orange coincided with thoſe of the proteſtants in England, ſo various circumſtances, in the ſtate of Europe, encouraged and ſeconded the views of both, and cooperated towards the accompliſhment of the revolution.

James the Second of England was almoſt the only prince in Europe who was not, either from private pique, or from a jealouſy of his exorbitant ambition, actuated by reſentment againſt Louis the Fourteenth, who, at that period, ſat upon the throne of France. The revocation of the edict of Nantz, followed by the moſt violent perſecution of the Huguenots, rendered his name deteſtable to all the proteſtant princes in Germany [13]. A private conteſt with Innocent the Eleventh, who now wore the triple crown, effaced the merit of his ſanguinary zeal, and even

[12] Monthly Mercury. [13] Teſtament Politique du Colbert.

drew

drew down upon him the implacable resentment of the holy father. According to ancient custom, the ambassadors of catholic princes, residing at Rome, enjoyed an exemption from the jurisdiction of that court, and various immunities connected with that privilege, which were called the *franchises*. By imperceptible degrees, these were extended, not only to the servants and household of the ambassador, but to every other person received under his protection, and were at last found to encroach far upon the dignity and domestic authority of the papal court. Bent upon his own personal grandeur, more than upon the extension of his power over distant kingdoms, Innocent the Eleventh most anxiously solicited the catholic princes to resign a privilege which tended to the disparagement of his honour, and the limitation of his immediate jurisdiction. The house of Austria set that example of obsequiousness, which was followed by other catholic princes in Europe. The king of France alone, with inflexible obstinacy, contended for the maintenance of all those honours which, by long prescription, were claimed by his ambassadors. The solicitations of the English ambassador were interposed in behalf of France, and, instead of softening Innocent, involved James in a participation of the guilt and the odium of his ally [14].

The house of Austria had still a more serious ground of quarrel with France, and possessed greater power to prosecute her resentment. While her whole exertions were directed against her natural enemies, the Turks, and the revolted subjects of Hungary, who had joined them, the king of France seized the opportunity of violating the truce agreed upon between him and the emperor, and began, without any shadow of claim, to erect forts on the borders of Germany. The emperor having gained some important advantages over the Turks, and recovered some of the strongest fortresses which had been long in their possession, now began to turn his eyes upon

[14] Histoire de Gouvernment de France, tom. iii. 1687.

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the encroachments of France, and was prepared eagerly to liſten to any ſcheme of curbing that exorbitant ambition, by which ſhe was of late become formidable to Europe [15].

The repeated inſults with which the haughty monarch had treated Holland and Spain, and the late violation of the treaty of Nimeguen, filled them with reſentment and fearful forebodings of his future encroachments [16].

The diſpoſitions and the intereſts of theſe various powers ſuggeſted to William a plan of confederacy againſt France, to the accompliſhment of which he devoted the unremitted exertion of all his faculties. By his unparalleled addreſs in negociation, the Empire, Spain, Saxony, Holland, and the circles of the Upper Rhine, were all induced to enter into the famous league of Auſbourgh [17]. The articles of that league would lead to the diſcuſſion of foreign politics, a ſubject too extenſive and complicated to enter into this work. Let it ſuffice to obſerve, that the terror of France was the principle of this league, and her humiliation the object it was intended to accompliſh. The aſſiſtance and concurrence of England were perceived by all the confederating powers, to be eſſential to its ſtability and ſucceſs. But what hope could they reaſonably have of obtaining this, while a prince ſat upon the throne of England, who was partial to the intereſts of France; and, by a tyrannical uſurpation, overruled the inclination of his people and his parliament? Here then was preſented to William, the moſt favourable opportunity of making an attempt upon England, not only without any hazard of oppoſition from abroad, but with the hearty conſent and good wiſhes of thoſe very powers, who, upon any other occaſion, would have been led by their religious prejudices to thwart his elevation. Should he ſucceed, either by aſſuming the government of England into his own hands, or by putting it into

[15] Tindal's Introduction. [16] Ibid. [17] Ibid.

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the hands of the parliament, the object of the league would be obtained. At the fame time, great pains were taken to allure the pope, if not to become immediately acceffary to the league, yet to look with a favourable eye upon the confederating powers. It is not difficult to perfuade men to apprehend the coincidence of the public good with their own private interefts and affections. It was fuggefted to Innocent, that, by a revolution in England, he might expect, not only to obtain the gratification of private refentment, but the advancement of the catholic intereft in that kingdom. A toleration, which was agreeable to the avowed principles of William, would fecure their perfonal fafety, and the undifturbed exercife of their religion, to all the difinterefted and fincere friends of the Roman church; whereas the violence and the precipitancy of James might one day roufe the fury of the nation, and terminate in the final extirpation of thofe whom he wifhed to cherifh. By thefe reprefentations, and the addrefs of the prince of Orange at this time, was produced one of the moft fingular phænomena that ever occurred in the hiftory of politics. An oppofition was formed between the church and the court of Rome. The pope was made an inftrument of avenging fuperftitious zeal, and of faving the proteftant religion in England, by contributing his aid to dethrone a prince, who, if it had not been for his bigotted attachment to the intereft of the Roman church, might have enjoyed a peaceable and happy reign [18].

[18] From the late publications of Sir John Dalrymple, it is now evident, that the pope was privy to the defigns of William and the league. The French ambaffador extraordinary, cardinal D'Eftrées, in a letter to Lewis XIV. (18th Sept. 1687,) informs him, that he had been for fome time fufpicious of a perfon who reforted every day in difguife to count Caffoni, the pope's fecretary. That this perfon was at laft apprehended in the drefs of a porter as he came out from the vatican at midnight, and was difcovered to be a Dutch burgo-mafter of the name of Ouir; that, among other letters in his poffeffion, there was found one from the pope's fecretary to the duke of Lorrain, expreffing the particular joy his holinefs received upon being informed, that his Imperial majefty had perfuaded almoft all the European princes to unite in a league againft the king of France. Dalrymple, Ap. part i. p. 240—6.

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Union among the States of Holland.

5. The combination of foreign princes of oppoſite prejudices and intereſts, however ſingular an event, would not have been ſufficient to have raiſed William to the throne of England, if he had not, at the ſame time, been fortunate in uniting the States of Holland, by a cordial ſubmiſſion to his authority, and by the adoption of his political ſchemes. From the commencement of the government of the United States after their ſeparation from Spain, a powerful faction, ſpread through all the provinces, had ſet themſelves in oppoſition to the authority of the ſtadtholder, as incompatible with the ſpirit of their conſtitution. By the influence of this faction, Oliver Cromwell had obtained an article in the peace with Holland, aboliſhing for ever that office. By early management and addreſs, the firſt fruits of a genius for enterpriſe and negociation, which afterwards aſtoniſhed Europe and ſaved the independence of ſo many kingdoms, the prince of Orange raiſed and animated the popular party in Holland; and by their means reſumed the honours and the prerogatives of his houſe. Theſe, however, after he had recovered them, were retained with difficulty, and expoſed to danger, by the unremitting oppoſition of the city of Amſterdam, aſſiſted by diſcontented perſons of diſtinguiſhed influence in the provinces. Inſtigated by the invidious intrigues of France, they had lately formed a ſcheme of withholding the ſupplies, and reducing the army; which exceedingly embarraſſed the counſels and cramped the power of William. The ill-judged policy of France firſt weakened her influence among the diſaffected party in the States, by impoſing certain duties and reſtrictions upon ſome of the moſt profitable articles of their commerce, in ſpite of the moſt earneſt remonſtrances of the city of Amſterdam, and the ſecret advice of D'Avaux, the French ambaſſador. The revocation of the edict of Nantz widened the breach between Lewis and the Louveſtein faction, and promoted a reconciliation and an union of all parties in the provinces[19]. The Huguenots,

[19] D'Avaux.

who

who fled to them for refuge, by defcribing in pathetic ftrains their own fufferings, and the fufferings of thofe they had left behind them, at once awakened the compaffion, and roufed the indignation, of all the proteftants in Holland. The jealoufy of their domeftic privileges was extinguifhed by a generous fympathy, with the oppreffion of their fellow-chriftians. The prince of Orange, whom the difaffected in Holland had hitherto beheld with an eye of fufpicion, they now regarded as the only inftrument, under providence, to avenge the caufe of humanity and confcience; and cordially concurred with their fellow-fubjects, in granting the fupplies, and raifing the troops neceffary for that purpofe. The proteftant refugees were of ufe to William, not only by reconciling the affections of all the States to him, and to one another, but by great perfonal fervices. The fortunes which they imported, facilitated the loans for the raifing of troops, and the other preparations neceffary for his expedition. Many French proteftants, of all ranks, entered into the army and fleet deftined for England. Among thefe were fome of the braveft foldiers and moft experienced generals, who, to all their other qualifications, added a fervent zeal for religion and liberty; and were well-pleafed to hazard their lives in defence of a caufe, for which they had already fuffered exile.

The death of the elector of Cologne, and the forward part Lewis had taken in the choice of a fucceffor fubfervient to his ambition, threatened the furrounding powers on the continent with the near approach of a war; and covered the real defign with which William was now carrying on the moft extenfive military preparations. He formed a camp, augmented his army, and drew his troops out of the garrifon in Flanders. Under various pretences, and with the moft aftonifhing expedition, he fitted out all the fhips of war belonging to the States, and brought them to the moft convenient harbours. He quickly found himfelf at the head of a warlike force, fufficient to engage the confidence of his friends, fo foon as he fhould find it

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prudent to make an open declaration of his purpose, either to curb or to annihilate the arbitrary power of his father-in-law[20].

Ill fortune and imprudent conduct of James.

6. Ill fortune and imprudent measures on the part of James, concurred with all the causes which have been recited, to hasten and to facilitate the subversion of his government, and the utter ruin of his affairs.

The birth of a son, instead of strengthening his prerogative, in various respects contributed, to increase the inclination and the power of his subjects to resist it. It emboldened the Roman catholics to pursue more open and violent measures; it roused the fears, and provoked the immediate and vigorous resistance, of his protestant subjects. The prospect of a protestant heir, so long as it was held out to them, reminded the Roman catholics of an approaching day of reckoning, and rendered them more cautious and moderate, lest they should lay a foundation of future resentments against themselves. The protestants drew great consolation from the hope of an event which seemed to set bounds to the reign of superstition and tyranny; and some of them, extravagantly loyal, would have been willing to endure many hardships, provided they were not to descend to their posterity. The birth of a son, who would infallibly be trained in the enthusiastic and

[20] Hist. de Louis le Grand, par Bussy Rabutin.

Lewis XIV., in order to secure to his interest the electorate of Cologne, had prevailed upon the late elector, declining in his health, to desire a co-adjutor, and by his intrigues obtained the election of cardinal Furstemberg, upon whom he had bestowed the bishoprick of Strasburgh. The pope refused his bull, and the emperor his investiture, which were necessary to ratify the election.

Upon the death of the elector, a new election was found to be necessary. To support the claim of Furstemberg, the troops of France were ordered to march to the frontiers, and her agents were sent to Cologne, to distribute money among the priests and the canons, who had a vote in the election.

The emperor proposed as a candidate, prince Clement, brother of the elector of Bavaria. He was supported by his brother the elector, by Holland, and the pope, who gave Clement a dispensation, on account of his being under age. Though the cardinal was elected by a majority, the emperor and the pope still refused their consent. Upon this, France sent troops into Cologne, which took the oaths of allegiance to the cardinal, and filled the garrisons according to his orders. France began at the same time to make warlike preparations at home; to discontinue the works in which the troops were employed in the country; and to give commissions for new levies. Memoires de la Cour de France, par la Comtesse de la Fayette, vol. ii. p. 4. and 19. 22.

tyrannical

tyrannical principles of his father, rendered the ſituation of England irretrievably deſperate, if they did not make a bold effort for their deliverance while they yet had it in their power. The number and ſtrength of the friends of arbitrary power muſt increaſe every day. Delay was ruin.

Though to a perſon who, at this diſtance of time, fairly balances evidence, there may appear little reaſon to doubt of the legitimacy of the birth of the prince of Wales; yet ſome myſterious circumſtances attending that event, eaſily impoſed upon the credulity of party; and, to all the other crimes of James againſt his ſubjects, added the ground of a charge the moſt heavy that could lie againſt his character, either as a man, or as a prince.

If the king was unfortunate in that combination of circumſtances which united ſo many of the powers of Europe in oppoſition to his intereſts, he was no leſs ſo in the weakneſs and violence, or the duplicity and perfidy, of the counſellors in whom he principally confided, and who diſſuaded him from availing himſelf of the only aſſiſtance which remained to him in the extremity of his affairs. Lewis the Fourteenth had inſtructed his ambaſſador at the Hague to demand a poſitive anſwer of the States, with reſpect to the deſtination of the army and fleet which were getting ready with ſuch expedition; and, as a reaſon for this inquiry, added the ſtrongeſt expreſſions of friendſhip towards James, in whoſe ſafety he profeſſed himſelf deeply intereſted. The States either pretended, or actually believed, from this interpoſition, that a ſecret treaty had been tranſacted between James and Lewis. By the advice of Sunderland, James was perſuaded not only to decline, but reſent, the good offices of the king of France[21]. He refuſed to accept the aſſiſtance of a fleet

[21] The treachery of Sunderland (more perhaps than any other cauſe) contributed to the ruin of James. By adopting his prejudices, by affecting a conviction of the propriety of his meaſures, and a zeal for carrying them into execution, he impoſed not only upon James, but

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fleet and an army proffered to him by Lewis. He instructed his ambassador at the court of France, to complain of that imprudent officiousness which had staggered the confidence of his own subjects.

A storm, which dispersed and turned back the Dutch fleet, after their first setting sail for the coast of England, construed as a signal interposition of heaven, immediately occasioned a change in the

but on the French ambassador, Barillon. See a remarkable instance of this, Dalrymple, Ap. part i. p. 175.

When Sunderland perceived the unpopularity of the king's conduct, and the fatal issue in which it was likely to terminate, he turned his eyes towards Holland, and by means of Sydney, his wife's uncle, endeavoured to open a correspondence with the prince of Orange. His wife, in the name of her husband, makes a declaration of his attachment, and a tender of his services, to the prince of Orange, in terms the most abject. Dalrymple, part i. p. 187. D'Avaux, vol. iv. 13th and 20th May, 1688.

As if it had been to avert the suspicion of his master, which, from the consciousness of guilt, he had reason to dread, he professed to be converted to the Roman catholic religion. Dalrymple, part i. p. 287-8.

He continued to encourage James in the most violent measures, while he conferred with Dykevelt. Dalrymple, Ap. part i. p. 191.

Meanwhile, he still so effectually imposed on Barillon, as well as James, that, upon the recommendation of the former, Lewis ordered him a pension for his services to France. Ibid. p. 267.

But the most notorious instance of his duplicity occurs in his conduct at the time when James proposed to recal the troops from Holland. He had assured Barillon of his approving of that measure, and of promoting it by his influence with the king. Some time after, the order for recalling these troops was suspended. Skelton, the ambassador at the court of France, suspected, that the suspension of the recal was owing to the advice of Sunderland, who began to fall under the suspicion of holding a correspondence with the prince of Orange. Barillon is charged to inquire into this affair; and, particularly, whether Sunderland had advised the suspension of the recal. But with such artifice did Sunderland acquit himself, that, in a conversation with the ambassador upon the subject, he persuaded him, that the obstructions to this measure proceeded from its being disagreeable, not only to the protestants, but to the catholics: That he himself, by his firmness in adhering to it, exposed his own interest and safety to the greatest hazard: That all this proceeded from a vehement attachment to the French interest; and therefore suggests the justice of his claim to an additional pension from the king of France. Dalrymple, Ap. part i. p. 267. 273. 277-9, 280.

Sunderland dissuaded James from accepting the assistance offered him by France, after it became certain that the prince of Orange meditated an expedition into England. Ibid. 282-3-6. D'Avaux, vol. iv. Sept. 18th, 1688. Life of James, passim.

Sunderland had obtained orders to all the ambassadors in foreign states, to communicate any news of importance to none but him; a circumstance which at once shews his influence with James, and his capacity of hurting him. Dalrymple, Ap. part i. p. 281.

The letters of Sunderland to king William after the revolution fully confirm his treachery: In them he pleads the merit of his past services. Dalrymple, Ap. part ii. p. 1, 2. From these letters it appears, that William, disgusted with Sunderland's crooked ways, hesitated about consenting to his return to England.

moderate

moderate and conciliating meaſures which had lately been adopted by the king, and utterly deſtroyed all confidence in the promiſes which he afterwards made when driven to extremity. The imprudence of James was no leſs conſpicuous than his bad fortune. His conceſſions were made with a reſerve which fomented the diſtruſt of his friends. He promiſed to call a parliament, but alleged as a reaſon for delaying it, the confuſion and the diſturbances which prevailed while the prince of Orange and his army were in England; though it was evident, that, if he extricated the nation from them by military exertions, he muſt find himſelf in a ſituation more than ever ſuperior to the power of parliament. The ſuſpenſion of the biſhops was taken off; the eccleſiaſtical commiſſion diſſolved; the charters of corporations reſtored in their ancient form. But the king ſtill expreſſed himſelf in terms of ſuch reſerve and heſitation with reſpect to the indulgence of the Roman catholics, itſelf the moſt offenſive meaſure, as well as the ſource of all the other offenſive meaſures which he purſued, that there ſeemed no ground to rely upon his promiſes, or to hope for a laſting reformation of government.

The unchangeable tenor of the king's conduct exhibited a palpable contradiction to the promiſes he made, and to the reſolutions he profeſſed. One Hale, a clergyman, conſiderable only by the odium he had incurred for reading the declaration of indulgence, was now promoted to the dignity and the lucrative emoluments of the ſee of Oxford. The prince of Wales was baptiſed according to the form of the Roman catholic church, and the pope, repreſented by his nuncio, ſtood as godfather.

Diſguſted at the inſincerity and infatuation of the king, and entirely excluded from his confidence, many of thoſe who had hitherto faithfully adhered to his perſon, found themſelves compelled to encourage the interference of the prince of Orange, as far as it was neceſſary, to repair the breaches of the conſtitution, though nothing

H A
VIII.

nothing was farther from their intention than to raiſe him to the throne. The fluctuation, timidity, and weakneſs of the king, when his affairs became more deſperate, ſuppreſſed, in a great meaſure, that pity which follows dignity aſſociated with misfortune. The precipitate deſertion of his dominions ſtruck his friends with aſtoniſhment and confuſion, fulfilled the wiſhes of his enemies, and accompliſhed, without the effuſion of blood, the moſt important revolution that occurs in the annals of England.

The declaration of the prince of Orange. October 10, 1688.

The prince of Orange landed at Torbay on the fifth of November one thouſand ſix hundred and eighty-eight. Before he left Holland he publiſhed a declaration, repreſenting the grievances of the Engliſh nation under the government of James. That all ordinary remedies having been ineffectual to obtain redreſs, he had thought fit to go over to England, with ſuch a force as was ſufficient to defend him from the violence of evil counſellors, and that the deſign of his expedition was to obtain a free and lawful parliament. He diſclaimed all intention of conqueſt; and ſaid, that he had no other deſign, than to procure a ſettlement of the religion and liberties of the ſubject, upon ſo ſure a foundation, that there might be no danger of the nation relapſing into the like miſeries hereafter[a].

Two queſtions naturally occur with reſpect to this declaration, and the ſolution of them materially affects the character of the prince of Orange:

1. How far is it conſiſtent with truth, or does it contain a fair repreſentation of facts? 2. Was the conduct of the prince of Orange, in accepting the crown, conſiſtent with the promiſes and engagements of his declaration?

It does not appear that any of the facts with reſpect to the grievances which are enumerated in the prince's declaration, are miſrepreſented, or exaggerated. In one inſtance only, the declaration of the prince may ſeem liable to the charge of falſehood and

[a] Journ. Commons, vol. x.

calumny; namely, in what reſpects the ſuppoſititious birth of the prince of Wales. Whether William really believed this, whether, from a miſrepreſentation of circumſtances communicated to him by his correſpondents in England, and the influence of ambition which inſenſibly warps the mind, he did not ſuſpect that an impoſture was intended by his father-in-law, we cannot pretend to determine. The guilt alleged was of ſo baſe and atrocious a nature, that he ought not to have ſet his hand to it, without an accurate examination of the evidence, and a full conviction of its being well founded.

It is certain, that the bigotry of James excited ſtrong ſuſpicions of his proteſtant ſubjects, and of the princeſs Anne, that he intended to impoſe a ſuppoſititious child, to prevent the ſucceſſion of his proteſtant heirs[23]. To any perſon who now examines the evidence of this ſuſpicion, it will not appear to have been at any time ſufficient to have induced the conviction of an unprejudiced mind. It affords a ſtrong preſumption, that William viewed it in the ſame light, as he never admitted or encouraged any inquiry with reſpect to the birth of the prince of Wales, which, if it had been rendered even doubtful, muſt have fortified his title to the throne. The ſtrong attachment of the nation to hereditary right, and the indiſpenſable neceſſity of his aſſuming the crown, will be conſidered as apologies for the conduct of William in this inſtance, by thoſe who admit, that the obligations to candour and probity may be diſpenſed with in any caſe whatever. It muſt be matter of regret to every fair mind, to find ſo few examples in hiſtory, of prejudices, however weak or pernicious, having been removed by pure force of argument; and that hardly one inſtance occurs, of any ſignal revolution in government having been accompliſhed, without working upon the reſentments of the people, by heightening the abuſes and crimes of

[23] It was ſuſpected, from the pains which James took to pack the parliament in Scotland, that he had formed a plan to obtain authority for ſettling the ſucceſſion of the crown upon any perſon he ſhould think fit to name, on purpoſe to ſecure the Roman catholic religion. Life of Carſtares, p. 28.

thoſe

CHAP. VIII. those who fill the seats of authority, and who have an interest in opposing innovations, however salutary.

There is no difficulty in vindicating the consistency and honour of William, from any impeachment of them, for his ascending the throne, as if it had been contrary to the words of his declaration, and the promises he made to some of the confederate princes[24]. He certainly undertook his expedition into England with the hope that it might terminate in his elevation to the throne. He disclaimed any design of conquest: In this there can be no doubt of his sincerity; but he certainly did not mean, nor wish it to be understood, that he would refuse the crown of England if tendered to him, after deliberation, by the representatives of the people. He even made use of expressions which might be obviously interpreted to bear that sense, or to imply his readiness to accept of it. He said, he had no other design in his undertaking, but to procure a settlement of the religion, liberties, and properties of the subject, upon so sure a foundation, that there could be no danger of the nation relapsing into the like miseries hereafter. His elevation to the throne, however, was still a matter of contingency: It was to depend upon the conjuncture of circumstances. To the commissioners sent by James, to treat with him about the settlement of the nation, he made proposals, which, though they may appear arrogant, were, in the critical situation of affairs at that time, indispensably necessary to procure that end[25]. If James

[24] The prince of Orange, in a letter to the emperor, before his expedition into England, assures him, that he had no intention to make an attempt upon the crown, or to desire to appropriate it to himself. Dalrymple, Ap. p. 254.

The same arguments which vindicate the consistency of William's after-conduct with his declaration, remove any charge of duplicity inferred from this letter. We cannot doubt but that he wished, and particularly his personal friends earnestly wished, that the course of affairs might bring the crown within his offer. See Letter of the Elector of Brandenburgh to King William, 27th Feb. 1689. Ibid.; also Clarendon's Diary, Dec. 1688; Jan. 1689.

[25] The most exceptionable articles in the proposals made by the prince, are the 4th and 6th, by which he seemed to put himself in every respect upon a footing with the king; namely, that if his majesty should think fit to be in London during the sitting of the parliament, he (the prince) might be there also, with an equal number of his guards; and that a sufficient part of the public revenue should be assigned him, for the support and

James had accepted them, there can be little doubt but that he would have kept his crown. Confounded, when he heard of the association of so many persons of the first rank under the prince of Orange, and of the desertion of his own family; distrusting his army, and still inflexibly attached to the interest of the Roman catholic religion, he chose rather to throw himself into the arms of France; and left his people in such a situation, as hardly reserved any other alternative, by which the purpose of the prince's declaration could be obtained, than putting the crown upon his head.

maintenance of his troops, till the sitting of a free parliament. It is evident, however, that nothing short of a compliance with these demands could insure the purpose of his expedition.

# CHAP. IX.

*Effects of the Departure of James.—The Peers in London address the Prince to assume the Administration of Government.—He waits for some Testimony of the Approbation of the Commons.—Summons the Members who had served in Parliament during the Reign of Charles II.—They meet.—Address him to call a Convention.—He complies with their Desire.—Conduct of the Prince previous to the Meeting of the Convention.—His Acts of Government.—Elections.—The Convention meets—Addresses the Prince.—A Letter from King James rejected.—General View of the Commons concerning the State of the Nation.—Debates of the Commons concerning the settling of the Government.—Final Resolution.—Debates in the House of Lords concerning the settling of the Government.—Resolutions and Vote.—The Question concerning the original Contract.—Resolutions and Vote.—The Commons avoid any farther Measures for settling the Government.—The Lords propose Amendments upon the Resolutions of the Commons.—Observations.—Conference between the two Houses.—Causes which constrained the Lords to concur with the Commons.—Discontents and Tumults of the People.—Declaration of the Prince of Orange—of the Princess of Orange—of the Princess Anne.—Effects of them—The Lords concur with the Votes of the Commons—and settle the Crown on William and Mary.—Bill of Rights.—Alteration of the Oaths.—Effects of the Revolution with respect to the Constitution.*

CHAP. IX. 1688. Effects of the departure of James.

THE departure of James produced a sudden alteration in the views and the hopes of every party. The affection and confidence of his friends were staggered by a desertion, for which they were not prepared. All their plans, for accomplishing a reconciliation between the king and his offended subjects, were entirely disconcerted, and the hopes of settled government removed to a great distance. In proportion to the depression and embarrassment of the

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the adherents of James, the spirits of the prince of Orange and his friends were elated, and their prospects became more flattering and extensive[1].

The peers in London address the prince to assume the administration of government.

The peers, who were in London, met at Westminster on the twenty-fifth of December, and, after signing the association drawn up at Exeter, unanimously addressed the prince of Orange, to assume the administration of government, and to write circular letters to all the different bodies of electors, requesting them to chuse representatives, to meet at Westminster on the twenty-second of January one thousand six hundred and eighty-nine, in order to deliberate concerning the final settlement of the nation[2]. This address was not more acceptable to the prince, than other resolutions of the lords, which removed the principal obstructions to such a plan of settling the nation, as he might naturally be supposed to desire. They unanimously refused to receive a letter left by king James, containing an apology for his departure out of the kingdom, and declined making any inquiry into the evidence of the birth of the prince of Wales[3]. By these resolutions, they opened a plain and direct path to that important conclusion, upon which the revolution was founded, namely, that there was a demise of the crown, or abdication of the government. Some of the lords precipitately moved, that the crown was vacant; and that the princess of Orange should be declared queen; but the opposition which this motion received, both from the friends of her husband, and from the few who were still attached to the interest of king James, prevented that celerity of decision, which could hardly have laid the foundation of a quiet and permanent settlement[4].

[1] Clarendon's Diary, December.

[2] The number of peers who met at Westminster appears to have been about seventy: they increased afterwards, in the course of these previous deliberations, to ninety. The duke of Somerset, the earls of Pembroke and Nottingham, lord Wharton, and all the bishops, except Compton of London, refused to sign the association. The lords issued an order by their own authority, for all papists to depart from London and Westminster.

[3] Clarendon's Diary, December.

[4] Ibid.

1688. He waits for some testimony of the approbation of the commons.

23d Dec. Summons the members who had served in parliament during the reign of Charles II.

The prince, attentive to the forms of the constitution, as far as it was possible to observe them, during the present cessation of executive authority, deferred his acceptance of the government, till he afforded the commons an opportunity of expressing their concurrence with the address of the lords. He called together all those persons who had served in any of the parliaments of Charles II., and the lord mayor and aldermen of the city of London, requesting their advice upon the present state of the nation. The restricting his invitation to the members, who had sat in parliament during the reign of Charles, was differently interpreted, according to the influence of political prejudices and connexions. By some it was censured, as equally partial and impolitic: by others it was considered, as a becoming testimony of that respect which the prince entertained for the purity of the constitution[5]. The members of the parliament of James, it was asserted, could not be considered as representatives of the people, because they had been elected, under illegal and arbitrary alterations upon the charters of the boroughs. Their personal conduct also appeared blamable, because they had exceeded in their concessions to prerogative at the commencement of his reign; though some atonement they certainly had made to their constituents, by that firm resistance to the dispensing power, which proved the cause of their dissolution.

They meet,

26th Dec.

Agreeably to the desire of the prince, about three hundred members of the commons[6], the lord mayor, and the aldermen of the city of London, met at Westminster upon the day appointed, when the prince addressed them in a short speech, and entreated their advice with respect to the best method of pursuing the ends of his declaration; namely, to obtain a free parliament; to secure the protestant religion; and the ancient laws and constitution of the kingdom.

[5] Ralph, vol. ii. p. 5.

[6] Reresby, p. 303.

CHAP. IX. 1688. Addrefs him to call a convention.

The members of the commons unanimoufly adopted the refolutions of the lords. They thanked the prince for having expofed his perfon in prefervation of their religion; they figned the affociation of adherence to him, and prayed him to fummon a convention to meet on the twenty-fecond of January one thoufand fix hundred and eighty-nine[7].

He complies with their defire.

The prince, in compliance with the addrefs of the lords, and of the reprefentatives of the commons, iffued circular letters for the meeting of the convention, and affumed the direction of the government, as far as was neceffary for the purpofes recommended to him.

Conduct of the prince previous to the meeting of the convention.

During the interval between the fummons and the meeting of the convention, many of the nobility and principal gentlemen attended the levee of the prince of Orange. He received them with civility, but with referve; and, by avoiding the appearance of predilection for any party, he gave no occafion for offence or jealoufy, which might have marred that unanimity, upon which the happy fettlement of the nation depended[8]. Some of the bifhops and tories expreffed their diffatisfaction, upon account of that attention and refpect, which the prince fhewed to the proteftant diffenters. It does not appear, however, that, in this inftance, he did any thing more than what was required by the dictates of prudence, and the common rules of politenefs[9]. He was juftly applauded for his caution in declining to enter into converfation upon any fpecific plan for fettling the government; though fome perfons, who were intrufted with the management of his bufinefs, feemed anxious to difcover the opinions and inclinations, of the Englifh nobility, who daily reforted to him under the pretext of compliment, or bufinefs[10]. It is fomewhat remarkable, that particular expreffions and arguments, which were afterwards cenfured as new and uncon-

[7] Journ. Commons, 26th December.
[8] Echard, vol. iii.
[9] Letter to the Convention.
[10] Buckingham's Works, vol. ii.

ftitutional,

ſtitutional, in the courſe of debates in the convention parliament, were firſt introduced in theſe private conferences, by ſome of the moſt zealous friends of the prince of Orange [11].

1688.

Mr. Bentinck and Mr. Sydney were the perſons who privately poſſeſſed the confidence of the prince. The former had merited his early favour by ſingular evidences of attachment to his perſon, and acquired his eſteem by tried faithfulneſs and capacity in buſineſs [12]. The latter had long reſided in Holland, had been privy to the correſpondence between the prince and his friends, and adviſed him in every ſtep he had taken, for interpoſing publicly in the affairs of England. The marquis of Halifax, the earls of Shrewſbury, Nottingham, Danby, Lords Mordaunt, Delamere, admiral Herbert, and Mr. Ruſſel, were all diſtinguiſhed by particular marks of the prince's attention [13].

His acts of government.

The few acts of government, exerciſed by him, previous to the meeting of the convention, had a provident reſpect to his own future ſucceſs, as well as to the ſafety of the nation. He publiſhed a declaration, giving authority to all ſheriffs, juſtices of peace, and other officers who were not papiſts, and who had received their commiſſions before the firſt of December, to continue in office. He ſent orders to the city, to ſuſpend the oaths, uſually adminiſtered to the members, when elected into the common council. A few regiments, under the command of officers ſecretly attached to James, were diſbanded; and, that the army might ſuſtain no material diminution, the private men were incorporated into ſtanding regiments of unſuſpected fidelity to the prince. To diſcharge

30th Dec.

[11] Clarendon's Diary, January.

[12] Mr. Bentinck attended the prince of Orange, during his illneſs in the ſmall-pox, for the ſpace of ſixteen days and nights, adminiſtered to him all his medicines and food, and never moved from his bed. Immediately after the prince's recovery, he fell ſick of the ſame diſtemper, and was in the greateſt danger. As ſoon as he recovered, he attended his maſter to the field of battle, and was always near his perſon. He was ſent to Brandenburg to communicate to the elector, the prince's intended expedition to England, and was principally truſted with directing the preparations for it. Life of William, vol. i. p. 65.

[13] Burnet.

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the arrears of the army, and to remove every cauſe of diſcontent, the ſum of two thouſand pounds was borrowed from an aſſociation of citizens. The alacrity and readineſs with which it was granted, yielded the prince a pleaſing earneſt of the good wiſhes and friendly aſſiſtance of the metropolis. Many of the ſailors having deſerted upon account of the irregular payment of their wages, a proclamation was publiſhed, tendering a free pardon and payment of arrears, to ſuch as returned to the ſervice of their country. To remove every appearance of undue influence upon electors, all the regiments were commanded to march from the counties and towns where elections were to be held. An order was publiſhed to control the licentiouſneſs of the preſs, and to prevent all publications containing falſe and malicious repreſentations of characters and meaſures, and tending to diſturb the public peace[14]. By the variety and wildneſs of thoſe projects of government which daily iſſued from the preſs, without falling under this prohibition, the minds of the people were now wound up to the higheſt pitch of curioſity and impatience, concerning the important event referred to the deciſion of the convention.

1689. 8th January. 16th Jan. 5th Jan.

The elections of the members for the convention were carried on without diſorder or violence. The remembrance of the grievances, which the nation had endured under James, was recent; the ſucceſs of the prince of Orange, and a confidence in his virtues, had great influence upon many of the electors. Several of the counties and boroughs had fixed their choice immediately after the ſummons for a meeting of parliament by James, profeſſedly called for the purpoſe of redreſſing grievances, and to that choice they now adhered[15].

Election.

The grand convention met at Weſtminſter on the twenty-ſecond of January one thouſand ſix hundred and eighty-nine. In the houſe of lords, the marquis of Halifax and the earl of Danby were

Convention meet.

[14] Ralph, vol. ii. p. 20. [15] Burnet.

competitors

competitors for the office of ſpeaker, and the former was preferred. In the lower houſe, Mr. Powle was unanimouſly choſen [16]. A letter was preſented from the prince of Orange to both houſes, in which he mentioned the endeavours he had uſed to promote the peace and ſafety of the nation; and recommended to them, to lay the foundation of a firm ſecurity for their religion, laws, and liberties. That no interruption might be given to an happy and laſting ſettlement, he repreſented the dangerous condition of the proteſtant intereſt, in Ireland, which required large and ſpeedy ſuccours. He recommended to their particular friendſhip and aſſiſtance, the States of Holland, by whom he had been enabled to undertake ſuch an expenſive and hazardous expedition, for the deliverance of England [17].

1689.

Addreſſes the prince.

Both houſes preſented an addreſs of thanks to the prince, for the ſervices he had rendered the nation; and prayed that he would aſſume the adminiſtration of affairs, and that he would take particular care of the preſent ſtate of Ireland [18].

A letter from James rejected.

A letter from king James was ſent, by lord Preſton, to both houſes of parliament. The commons rejected it, unopened. The lords examined the meſſenger who received it from lord Melfort, but no notice was taken of it afterwards [19].

General view of the commons, concerning the ſtate of the nation.

Upon the 28th of January, the lower houſe reſolved itſelf into a committee, to take into conſideration the ſtate of the nation. From the opportunities, which had occurred, of diſcovering the private opinions of men of every party and ſtation, concerning the various projects for ſettling the government, the members of the convention well underſtood, that the general tenor of national ſentiments run againſt innovations; while, at the ſame time, the reſtoration of James appeared, even to thoſe who were attached to his family, to be in the higheſt degree alarming and dangerous. But though a great majority in the houſe of commons were diſpoſed to ſet aſide James, yet it was evident that this meaſure muſt have been

[16] Journ. Lords and Commons, 22d Jan.
[17] Ibid.
[18] Ibid.
[19] Journ. Lords, 4th Feb.

attended

attended with unfurmountable difficulties, if conducted with a rigid refpect to the ordinary forms of law, or even with that deliberation which juftice feemed to require, in common cafes, relative to the property, or character, of individuals. If the convention could affume it, as a preliminary propofition, that the throne was already vacant, it would not only carry them forward to an advanced ftage of the bufinefs, but cut off many objections and embarraffments, which muft of neceffity cramp the freedom of debate, and expofe the fettlement of the nation to great delay and hazard. It feems therefore to have been a refolution, tacitly adopted by the lower houfe, not to agitate any previous queftions, which might lead to a difcuffion of the competency of their judicial power, in any cafe relative to the conduct of the king; but rather to proceed as if thefe had been already decided, and to employ their deliberations for re-eftablifhing a government, which had ceafed or expired, from the voluntary renunciation of the perfon to whom it had been intrufted [20].

Debates of the commons concerning the fettling of the government.

Mr. Dolben, who opened the debate, propofed to confine his views to the ftate of the nation, without entering into the confideration of remedies for the misfortunes in which it was involved. The propofition he affumed, as the ground of his arguments, was, that a demife of government had happened. He maintained, agreeably to the fignification of the original word from which it was derived, that not only the natural death of the perfon who was at the head of the government, but fuch a conduct as was productive of the fame effects, or an interruption and difcontinuance of its functions, ought, in ftrict propriety, to be interpreted a demife. By the departure of the king, who had carried off the great feal, the formal inftrument of all legal proceedings, the feveral courts of juftice had expired, and all public bufinefs was at a ftand. The examples of former times, upon emergencies fimilar to what had now happened, removed the objection of novelty againft the doctrine he maintained, and the refolution which he wifhed to found upon it. The refignation of the

[20] See Speeches of Serjeant Maynard, Harboard, Treby. Grey's Debates, vol. ix. p. 12, &c.

 crown

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crown by Edward the second, though constrained by imprisonment and menaces; the flight of Edward the fourth, though necessary to his personal safety; were pronounced by the ablest lawyers to be a demise of the crown, and followed with all the effects, which a natural demise must have produced[21].

It was argued by others, that the neglect of duty and the desertion of government, were terms, which conveyed too soft a representation of the misconduct of James. The man who neglects the duties of his office through indolence and dissipation, or relinquishes it through timidity, is equally incapable and unworthy of trust. But the man who betrays trust, and employs the powers and opportunities he enjoys, to subvert the very ends for which they were bestowed, has reached the most consummate pitch of depravity. The mal-administration and criminality of the late king, justified the highest degree of public indignation and legal resentment. The innumerable acts of tyranny of which they had been witnesses, and under which many of them had suffered, indicated not only an incapacity for government, but a spirit, repugnant to the constitution of England, and bent upon its destruction. No prince had ever maintained more extravagant ideas of monarchical prerogatives, than James the first of England, yet even he never presumed to exalt them above the authority of law; but solemnly declared, in parliament, "that the moment a king breaks in upon the "laws, he ceases to be a king[22]." What, but a confidence in the supremacy of the law, as controlling the will, and binding the hands of the prince himself, had defeated the obstinate, though, as it now appeared, the wise struggles against the order of succession, in the person of the present prince? As often as the malignant spirit of popery had been delineated, and the fatal event of this day predicted, in the course of the debates on the bill of exclusion, as often it had been replied, "that the king of England was only the minister, and not "the master, of the laws; and that the administration of government

[21] Grey's Debates, vol. ix. [22] Speech of Sir G. Treby. Ibid.

"could be vested in protestants alone, and managed only for the "interest of the protestant religion [23]." The removal of the king to France, discovered a disposition alienated from his subjects; and his return, and the recovery of his crown, if accomplished by the assistance of such an ally, must be attended with the slavery of his native kingdom [24].

The imbecility of argument, and the coldness of affection, with which the friends of James supported his cause, in the lower house, were, no less than the zeal and number of his opponents, an evidence of the desperate situation of his affairs. Their arguments referred principally to the preliminary question, which was taken for granted by those who spoke on the other side; namely, "Whether the convention had powers adequate to such an important decision, as that "of finding the throne vacant?"

There were a few, who denied the possibility of such an event as the demise of the crown, in an hereditary monarchy. Could the interference of the convention, or the united authority of all the electors in the kingdom, violate the natural and established order of descent? The attempt, if successful in this instance, would suggest inferences of extensive and alarming application; and shake all the securities, which the law had given to individuals, for the preservation of their rights and property [25]. But even those, who, in the course of the debate, maintained the principles of the tories, expressed the most pointed censure of the mal-administration and misconduct of the late king; and the most forward desire to pursue such measures, as might effectually prevent his return to power. Affected with a deep sense of the injuries they had sustained under his arbitrary government, justly apprehensive of the continuance and increase of them, if he should again ascend the throne, they hastened, without a scrupulous attachment to forms, to pronounce a sentence, which his demerit justified, and their own safety indispensably required. But, though the majority of the house might be persuaded, upon an extraordinary occasion, to deviate from common forms, yet it was evident that it would give a

[23] Speech of Sir G. Treby. Grey's Debates, vol. ix. [24] Grey's Debates, vol. ix [25] Ibid.

 greater

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greater weight to their resolutions, if any precedent could be found, exactly suited to the situation of the kingdom, and to the remedy proposed. None of the examples, cited from the English history, were conformed, in every circumstance, to the event which now engaged their deliberation. Richard the second was personally apprehended by the barons, and specifically charged with offences, not only against the state, but against individuals; and he had subscribed an instrument, formally resigning the crown. Edward the fourth, and Henry the sixth, fled from the violence of their enemies, and abdicated the government by compulsion. To remove the doubts of those, who objected to the novelty and temerity of excluding James from returning to the throne, Mr. Somers, with great address, directed the attention of the house to a foreign transaction, which, as it had been suggested by a situation precisely similar to that of England, so it exhibited an example of the most successful plan of settling a government, disturbed and interrupted, by the bigotry and desertion of the supreme magistrate[16]. Sigismund, next heir to the crown of Sweden, had, during the life of his father, become a convert to the Roman catholic religion. His future subjects, like the people of England, in the reign of Charles the Second, looked forward, with dismal apprehensions, to a succession so threatening to the interests of their religion. After the death of his father, their fears were in some measure removed, and their allegiance engaged, by the most solemn declarations of Sigismund, that he would maintain the laws and religion of Sweden. Regardless of these, he still prosecuted the instigations of bigotry, erected a popish church in the capital, conferred offices of the highest trust upon Roman catholics, and put his garrisons into their hands. The alarm of his subjects now rose to the highest pitch: All ranks of men united to defend their religion and laws, and to avenge the treachery of their sovereign. Sigismund suddenly fled into Poland. An assembly of the States, which met at Stockholm, not only declared that he had abdicated the crown and

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[16] Grey's Debates, vol. ix.

govern-

government, but they renounced his family, and settled the crown upon his uncle, Charles, duke of Sudarmania, and upon his heirs, who were protestants[27]. The justice of this sentence was applauded by all the protestant states in Europe. The similarity of circumstances recommended it to the imitation of the English convention, and insured the approbation of foreign nations[28]. As the conduct of James, his profession of the Roman catholic religion, and his desertion of the kingdom, exhibited an exact counterpart to the charges brought against Sigismund; so the following resolutions of the convention appeared to be, almost, a literal transcript of the sentence of the States of Sweden; namely, that king James the Second, having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between the king and people, and, by the advice of jesuits and other wicked persons, having violated the fundamental laws, and withdrawn himself out of this kingdom, has abdicated the government; and that the throne is become vacant[29].

Final resolutions.

These resolutions of the commons were carried by Mr. Hampden to the house of lords, who immediately resolved themselves into a committee of the whole house, to consider the state of the nation.

Debates in the house of lords con-

The earl of Nottingham, who opened the question, admitted, for sake of argument, the supposition, that the throne was vacant, that

[27] State Tracts, T. W. vol. i. p. 229.

[28] Sigismund the third had been elected, during the reign of his father, to fill the throne of Poland, by the interest of his mother, who was of the royal Sigillonian race. The prejudices instilled into his mind, at an early period, by her, were confirmed by the intrigues of the jesuits; and he became an avowed convert to the Roman catholic religion. The similarity of his character to that of James, and of the situation of England to that of Sweden, must naturally have had a considerable influence in leading to the conclusion of the important debate on the settlement of the nation. These circumstances deserve to be recited, in gratitude to the memory of that illustrious person, who was an honour to his party; and in this, and in many other instances, eminently instrumental in serving the cause of liberty.

The word Abdication was probably borrowed from Grotius, whose authority was often cited in the course of these debates. In the following sentence, he puts a case exactly resembling that which existed in England at this time. "*Si rex aut alius quis, imperium abdicavit aut manifeste habet pro derelicto, in eum, post id tempus, omnia licent quæ in privatum, &c. &c.*" Grotius de Jure Belli et Pacis; lib. i. cap. 4. sec. 9. p. 150. See also lib. ii. cap. 7. sec. 26.

[29] Journ. Commons, 28th January.

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he might immediately bring under discussion the measures proper to be taken, for accomplishing the settlement of the nation[10]. The very idea of hereditary monarchy, such as that of England, implied the indefeasible succession of the next heir, upon the event of a vacancy. By the established principles of the constitution, this was a point fixed, and unalterable, and could not be submitted to the opinion of the convention. If this question was even under their decision, they would be but little friendly to their country, who could wish to alter the established law, and to introduce dilatory forms, and disputable qualifications, in supplying the present vacancy of the throne. It was easy to foresee, that a departure from the lineal succession would prove a permanent source of intrigue and civil commotion. If but a single precedent for electing a king of England was established, however peculiar and urgent the occasion, it would for ever destroy the energy and stability of the monarchy, and transmit the seeds of civil war to remote generations, who, without feeling the grievances of which their fathers complained, would imitate the example, and follow the innovation, which they had introduced: it would keep alive distrust and jealousy between the king and his subjects. The former would consider himself, as but little interested in that national glory, which was not to redound to the honour of his posterity. The single object of his policy and influence would be, to secure to himself, and bequeath, to his heirs, the aggrandisement he had obtained; while, on the other hand, subjects, conscious of a power to overturn or transfer the throne, would be impatient to find an opportunity or pretext for exercising it. They would be ready to put the harshest construction upon the conduct of their sovereign, and to torment themselves with imaginary grievances. The safest and most obvious remedy, in the present crisis, was, what the law had provided, in cases similar to it, such as the nonage or the insanity of the royal

1689. [con]cerning settling the nation.

[10] Lords Debates, vol. i. p. 339. Burnet, 1689.

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heir, by appointing a regent to adminifter the government, in the name and behalf of the perfon, in whom the rightful authority was inherent. A regency, therefore, was propofed, on account of its analogy to the cuftoms of the conftitution, as preferable to any other plan of fettling the government, and faving the liberties of England[31].

It was anfwered by the lords, who were in the intereft of the whigs, that the fituation of the kingdom was entirely different from that, which was legally provided for, by the temporary fubftitution of a regent; nor was it fair to fufpect, that a remedy adapted to extraordinary circumftances, would, in future, give any fanction to a wanton, and unneceffary deviation, from the eftablifhed forms of the conftitution. The power of a regent was fubfidiary to that of the prince, not exclufive of it: the authority of the former was fubftituted in the room of the latter, becaufe there was a natural impoffibility, that a prince, who was an infant, or infane, or abfent, could exprefs his commands, or enforce obedience to them. In the prefent cafe it was evident, that the authority of a regent muft operate, to the detriment and fubverfion of the authority upon which it was grafted. It hung out a fignal to the factious and difcontented, who would never want an opportunity for embroiling the nation, and exercifing their mifchievous paffions, under the cover of zeal for the conftitution. Some would court the favour of the prince, and others that of the regent. Thofe, who could not find preferments under the patronage of the regent, would embrace more promifing hopes of fuccefs, by exerting their utmoft efforts, to fupprefs the delegated and fictitious, and to reftore the original, and fupreme authority of the State. The dangers, apprehended from the example of electing a monarch, were not lefs likely to arife, from the propofed expedient of electing a regent. What difference could it make to the nation, which of thefe precedents was preferred here-

[31] Burnet.

after:

after: whether factious and discontented men, without any sufficient ground for justifying so violent a measure, should depose the prince, by setting up another prince in his place, or deprive him of actual authority, by substituting a regent? Both precedents were equally liable to imitation, and would be equally productive of violent effects in the nation. But, with respect to the situation of subjects, who obeyed a king in possession, or obeyed a regent, obtruded upon the rightful sovereign, the case was not alike dangerous. By the statute of Henry VII., the subjects, who had submitted to a king in possession, were screened from the penalties of the law, and the resentment of a rival who might finally prove successful. But, for those, who yielded to the usurpation of a regent, the law had provided no reservation of mercy. If a regent, set up against the will and approbation of the prince, should be displaced by the re-establishment of the royal authority, all who had supported him, and held commissions under him, would be exposed to the charge of high-treason, and the uncontrolled vengeance of the power they had dishonoured. This distinction, adopted by the law of England, was rooted in the obvious principles of reason and equity. The possession of the crown, involving all the faculties of executive authority, was quite an overmatch for every mean of resistance, which private members of the state could employ; while, at the same time, the arguments, produced in support of the claim of contending rivals for the throne, were often too complicated for the comprehension of men of ordinary understanding, who were actuated by the most upright intentions. But, the very title of a regent, though he had obtained the command of the revenue of the state, and the services of its subordinate officers, still referred to an authority original, and paramount to itself. It supposed, that there existed, somewhere, a power, which had a prior claim to the allegiance of the people. To obey a regent, acting in opposition to his constituent, was such a palpable violation of duty, such a wilful contempt

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tempt of ſupreme authority, that the legiſlature never could imagine any circumſtance of exculpation or apology, for thoſe to whom it was imputed[12].

As this view of the queſtion was ſupported by ſtrength of argument, ſo it was alſo accommodated to the prejudices and intereſts of men, who uſually differed upon political ſubjects. The moderate tories, who were deſirous to raiſe the princeſs of Orange to the throne of her father, were, upon this occaſion, reinforced by the whole body of the whigs, who deſtined the ſame dignity for her conſort the prince of Orange, and both joined in the vote to prefer a king to a regent. This reſolution was carried by a majority of two votes, fifty-one to forty-nine.

Reſolutions and vote.

29th Jan.

So far as the lords had already proceeded in the ſettlement of the nation, they had not ſo much as entered upon the ground which the commons had occupied, and therefore found no occaſion for interfering with their ſentiments, or for expreſſing their diſſent from any part of the reſolutions which they had adopted. As if deſirous to keep aloof from the field of contention, they ſtill perſevered, in a diſtant track of diſcuſſion, to inſiſt upon the topics, which, though connected with the grand ſubject of inquiry, had not been inveſtigated by the lower houſe. In the iſſue of their firſt debate, they had gained ground upon the commons, and anticipated the remote conſequence of their reſolutions. The commons had only found that the throne was vacant; the lords determined to fill it with a king. By a retrograde motion upon the ſecond day, they returned to a ſtage of the buſineſs, anterior to that from which the commons had ſet out, and largely inſiſted upon the principles which they had taken for granted, in order to haſten to the concluſion, that the king had abdicated the throne.

The celebrated queſtion of the original contract, now exerciſed the ingenuity and the eloquence of the moſt accompliſhed ſpeakers

The queſtion concerning the original contract.

[12] Burnet. Lords' Debates, vol. i.

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in the upper houſe. In ſupport of the queſtion, it was argued, that all power, flowing from the people, muſt have been originally transferred to their delegates upon certain conditions, formally ſtipulated, or, in the very nature of the caſe, ſuppoſed. The oath of the king of England at his coronation, though expreſſed in more general terms than had been uſed in ancient times, ſtill implied a truſt committed, or dignity and influence conveyed to him, for the protection and benefit of his people. Every oath of truſt, required of men before they entered upon the execution of office, was intended, not only to check that abuſe and negligence, which eluded the detection of thoſe who were affected by them, but alſo to ſignify the ſolemn aſſent of the truſtee, to the conditions under which his truſt was held; that, upon the notorious violation of them, he might be diſplaced, and brought to condign puniſhment. If ever the people could be juſtified for reſuming their power, and following the conſequences of this doctrine, it muſt be, after having endured the moſt extreme oppreſſion, and after having tried, in vain, every other method of redreſs. If precedents were wanting to corroborate a propoſition ſo deeply founded in reaſon and neceſſity, and ſo eſſentially connected with the original rights of mankind, it only evinced the enormity of their oppreſſion, which required bold and untried means of deliverance. Future generations would revere the memory of thoſe patriots, who had exhibited a precedent, ſo well calculated to admoniſh princes, and to overawe the firſt motions of tyranny.

30th Jan.

The arguments oppoſed to theſe, were compounded of the ſtale maxims in ſupport of arbitrary power, and hereditary, indefeaſible right, which, to the diſgrace of the age, had been ſpreading among all orders of men; that kings received their power from God, and to him only were accountable for the exerciſe of it; that the coronation oath did not raiſe the king to the throne, but found him already ſeated upon it; nor did the words of it expreſs diſability or forfeiture, either in caſe he ſhould decline to take the oath, or violate the

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obligations expreffed by it. Arguments, glaringly deficient in folidity, require every proof of fincerity, and the moft regular conformity in practice by thofe who urge them, in order to gain patient attention from the perfons to whom they are addreffed. Propofitions, contradicted by the actions of the men who now undertook the defence of them, and who, in the fteps they had already taken, had loft fight of their theories, were little calculated to imprefs conviction; and the refolution, that there was an original contract, prevailed by a majority of feven votes. Fifty-three voted for it, and fifty-fix againft it [33].

Refolutions and vote.

During the continuance of thefe debates in the houfe of lords, the commons, once and again, refumed the queftion concerning the ftate of the nation. There were many who wifhed to bring their debates upon this fubject to fuch conclufions, as might contribute to the extenfive and durable amendment of the conftitution. They were of opinion, that the prefent moment afforded an opportunity, which the revolution of ages might not recal, for erecting fences againft future oppreffion, and fortifying the liberties of the fubject. There were fome who propofed, that, as the commons had proceeded fo far as to find the throne vacant, fo they ought to complete their work, by naming the perfon who was to fucceed to it [34]. Obvious confiderations of prudence reftrained the majority of members in the lower houfe from agreeing to this propofal. They were aware of thofe heats which would unavoidably arife among themfelves, upon the difcuffion of queftions of the moft delicate nature. They forefaw, that it would occafion a mifunderftanding with the other houfe, which difcovered no forwardnefs to concur with the refolutions which they had already adopted, and that even the united authority, of both houfes of convention, might be liable to exception, if any change in the laws or conftitution, however beneficial, was introduced during the

The commons avoid any farther meafures for fettling the government.

[33] Rerefby. Lords' Debates, &c. [34] Grey's Debates.

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abſence, or extinction, of the ſupreme magiſtrate. They were therefore of opinion, that all queſtions relative to the amendment of the conſtitution, ought to be poſtponed, till they had reſtored the government to its entire ſtate, by ſupplying that branch of the legiſlature which they had found to be deficient. They profeſſed to believe, that the declaration of the prince of Orange afforded them ſufficient ſecurity, for his conſenting to whatever laws might appear to be neceſſary, after cool deliberation, for bringing the conſtitution to perfection. One important vote only, during this interval, was paſſed by the commons, which could give no offence, nor be conſidered as any exception to the general tenor of the arguments now mentioned; namely, that popery having been found by experience, to be incompatible with the nature of the Engliſh conſtitution, Roman catholics ſhould for ever be excluded from ſucceeding to the throne [35]. Upon the ſame principles of prudence, which induced them to abſtain from farther amendments, they were anxious not to excite the jealouſy of the lords, by taking the lead in every part of the arduous buſineſs now depending; and having laid the foundations of the new fabric of government, they wiſhed to leave to the other houſe the merit of raiſing the ſuperſtructure.

The lords propoſe amendments upon the reſolutions of the commons.

On the thirtieth of January, the committee of the lords took under conſideration thoſe clauſes, in the reſolutions of the commons, which laid them under the unavoidable neceſſity of expreſſing either their agreement, or diſſent. Had king James abdicated the throne? If he had, was the throne conſequently vacant? After the full diſcuſſion of theſe topics in the houſe of commons, it was not to be expected that any new arguments could be brought forward, in the courſe of the debates, in the houſe of lords, though they laſted for two days, and at laſt terminated in theſe two amendments: firſt, that, in place of abdicating the throne, they ſhould ſubſtitute, deſerted the throne; and, ſecondly, that the clauſe that the throne had become vacant, ſhould be entirely omitted [36].

[35] Journ. Commons, 29th January.

[36] Journ. Lords, 30th January.



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Obfervations.

In the courfe of thefe debates and votes in the houfe of lords, there was an evident partiality to the principles of the tories, while, at the fame time, the views and interefts of individuals occafionally checked the fpirit and tendency of their principles, and formed a coalition among men of different parties. The tories were difpofed to prefer a regent to a king, and to admit the idea of an original contract, or to affent to any vote, tending to cenfure the mal-adminiftration of James; but they did not chufe to ratify any conclufion, derogatory from the dignity of the monarchy, in an abftract view; and this they dreaded to be the confequence of voting for an abdication, or vacancy in the throne. The earls of Nottingham, Clarendon, and lord Danby, though they differed in their opinions upon fome of thefe queftions difcuffed, were equally attached to tory principles. The bifhops, almoft without exception, adhered to them. Lord Halifax was a powerful advocate for the principles of the whigs. Though he had early entered into a correfpondence with the prince of Orange, yet his fincerity and fteadinefs were fufpected, becaufe he difapproved of his expedition into England as premature; and after the arrival of the prince, he had accepted a commiffion from James, to unite them in a plan for compofing the difcontents of the nation [37]. As if it had been with a view to retrieve his intereft, or to ftand foremoft in favour with the new court, he now exerted his utmoft abilities, in defence of the votes of the commons. He moved the refolution of raifing the prince of Orange alone to the vacant throne. The combination of various interefts for a while repelled his fuccefs, and overpowered the influence of the whigs. The bifhops, though they had fuffered under the tyranny of James, recoiled from a conclufion, which impeached their principles of hereditary right, or admitted any interruption of regal power. The tories adopted the fame fentiments, and the few who fecretly retained an affection for James, or wifhed to referve

[37] Burnet, 1689.

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any profpect of fucceffion for his infant fon, could accomplifh their defire, only, by rejecting the idea of a vacancy in the throne[38]. The commons refufed to admit the amendments of the lords: Conferences took place, which were managed on the part of both houfes, by perfons felected for their abilities; but neither of them could be perfuaded to depart from their refolutions[39].

Conference between the two houfes.

That the reader might be affifted to form juft views of the principles, and temper, of different parties, and of the abilities of their leaders, I have attempted to exhibit a compendious view of the arguments, which were employed in fupport of the feveral conclufions now recited. But, with refpect to the controverfy carried on in the conferences between the two houfes, this attempt muft be vain and impracticable. In the whole courfe of thefe debates, conducted by perfons of the firft learning and abilities, and fpun out with vexatious prolixity, we meet with nothing folid to fix the underftanding; nothing curious to amufe the imagination; nothing interefting to animate affection[40]. Were the rufty volumes of the fchools to be ranfacked, they could not perhaps furnifh a more copious collection of verbal quibbles, and of obfcure, trifling, and incomprehenfible diftinctions. The fecret affections of men often taint the complexion of their arguments; and the forefight of hated conclufions betrays them into the moft fhameful perverfion of judgment. Both parties kept their eyes fixed upon the confequences, deducible from the principles about which they were contending, and remained immoveable, either by arguments or objections, which referred to the principles themfelves. The tories wifhed to reject the doctrine of an elective monarchy; and adduced arguments, which, if purfued through all their confequences, would have redounded to their own reproach, for having deviated fo far, as they had already done, from their favourite maxims. The whigs were afraid of upbraiding them

[38] Clarendon's Diary, January, February.

[39] Thefe conferences were managed by Mr. Hampden, ferjeant Holt, Maynard, fir George Treby, fir Robert Howard, fir Richard Temple, Mr. Sacheverel, and Pollexfen, for the commons: By the earls of Nottingham, Clarendon, Rochefter, for the lords.

[40] Chandler's Hiftory.

with

with the inconſiſtency of their conduct, or expoſing the futility of their reaſonings to that ridicule which they deſerved, leſt they ſhould have awakened animoſity, at a period which required the moſt cordial unanimity. They found it ſafeſt and moſt expedient to encounter them with their own weapons; and to endeavour to perplex and weary them with the ſophiſtry and length of argumentation; truſting, that ſome fortunate contingency might put a period to a ſtagnation of buſineſs, ſo dangerous in the preſent criſis of the nation. Their expectations were not diſappointed; and the following incidents account for that ſudden change of ſentiment, which took place in the upper houſe; and how it came to paſs, that the reſolutions of the commons, rejected by a majority of eleven votes, and oppoſed with inflexible obſtinacy in their conferences, were at laſt adopted by the lords; and the prince of Orange elected to fill the vacant throne[41].

Cauſes which conſtrained the lords to concur with the reſolutions of the commons.

1. The whole attention of the people of London had been engroſſed by the proceedings of the convention. They liſtened with applauſe to every motion tending to the ſettlement of the nation; but diſcovered impatience and reſentment, when they heard of any objection, contrived to embarraſs, or retard, that deſirable event. Curioſity, long ſuſpended, engenders ill humour and fretfulneſs; which naturally diſcharge themſelves upon the perſons, who are conſidered as the inſtruments of delaying or diſappointing its gratification. The bold and direct reſolutions of the commons; the dilatory, circuitous plan of proceeding purſued in the houſe of lords; the amendments they propoſed, and the obſtinacy and wrangling with which they adhered to them; left it no longer doubtful with the multitude, where the blame lay, or who the proper objects of their reſentment were[42].

Diſcontents

Theſe riſing diſcontents the lords had in vain attempted to allay, by aſſenting to the vote of the commons, to exclude papiſts from the ſucceſſion to the throne, and by ordering that the anniverſary thankſ-

2d February.

[41] Journ. Lords, 6th February.

[42] Cunningham's Hiſtory, vol. i. p. 101.

giving,

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giving, in commemoration of the acceffion of king James, fhould not be obferved. The complaints of the people, perhaps fecretly cherifhed by the whigs, ftill continued to increafe; and, after the ineffectual conferences between the two houfes, broke out into tumultuous and licentious importunity. Multitudes of the lower clafs of the inhabitants of London daily affembled in the different avenues to Weftminfter, and infulted the tory lords, with hiffes and reproaches, in their way to the convention [43]. In order to render them univerfally odious, and to frighten them into a compliance with the refolutions of the commons, printed lifts of their names were handed about, and they were threatened with vengeance, if they perfifted to obftruct the defire of the nation. Petitions to both houfes, entreating them to proceed, without delay, to fettle the crown upon the prince and princefs of Orange, were carried about; and the perfons, who refufed to fubfcribe them, were treated with indignity, and threatened with violence [44]. Thefe diforderly proceedings occafioned a proclamation by the prince, prohibiting the people to difturb the deliberations of the convention. But the delay of this proclamation, till the evil which it was intended to remedy had advanced too far, rendered it but little effectual to compofe the tumults of the people, and to infure the fafety of thofe, who favoured the refolutions of the lords.

And tumults of the people.

Declaration of the prince of Orange.

2. The behaviour, and the explicit declarations, of the prince, and princefs of Orange, deftroyed every hope of fuccefs hitherto entertained by the peers, who had remonftrated againft the vote of the commons. The majority of the houfe of lords, tender of the rights of the princefs, had adopted the refolution of demanding an unreferved communication of the fentiments of her hufband, refpecting the fettlement of the nation. To lords Halifax, Danby, Shrewfbury, Nottingham, diftinguifhed by their influence in the upper houfe, the prince opened his views and intentions, and declared, that he would neither accept the office of regent, nor

[43] Clarendon's Diary, February.

[44] State Tracts, T. W. 1ft, 105.

hold

hold the royal power, in partnerſhip with his conſort, not in dependance upon her[45]. Though he profeſſed indifference with reſpect to the iſſue of their reſolutions, and intimated his purpoſe of returning to Holland, yet as there remained only one expedient for ſettling the government, of which he had not diſapproved, it was not difficult to explore the ſecret wiſhes of his heart.

Of the princeſs of Orange.

A declaration of the princeſs of Orange concurred, at the ſame time, to diſcourage the zeal, and diſappoint the projects of thoſe who had inliſted themſelves as her partiſans, and who intended to raiſe her to the ſupreme authority, in preference to her huſband. Lord Danby, who had been inſtrumental in promoting her marriage with the prince, was naturally conſidered as the head of this party, and had lately intimated its favourable intentions, by a ſpecial meſſenger ſent to the princeſs in Holland. She replied in the language of rebuke, "that ſhe was offended by the offer of any "dignity to herſelf, contrived to ſeparate her from the intereſt of her "huſband; and that ſhe never would deviate from that reſpect and "deference which ſhe owed him as a wife." As a teſt of her ſincerity, and a barrier to all future exertions in her intereſt, ſhe tranſmitted lord Danby's letter to the prince, together with the anſwer ſhe had returned to it[46].

Of the princeſs Anne.

3. The declaration of the princeſs Anne, expreſſing her approbation of the ſettlement of the crown upon the prince as well as the princeſs of Orange, removed thoſe objections, which, attachment to her perſon, as well as a ſtrict regard to juſtice, oppoſed to the votes of the commons, and the general inclinations of the whigs. The transfer of the crown to the prince of Orange, not only during the life of his conſort, but during his own life, appeared to be an infraction of the order of ſucceſſion which neceſſity did not require, and an invaſion of the right of the princeſs Anne, which nothing but her conſent could juſtify. Convinced of her right to the crown,

[45] Burnet, 1689. [46] Clarendon. Burnet.

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in preference to that of the prince of Orange, but, at the ſame time, of the precedency of her brother's claim to hers, the princeſs remained for ſome time perplexed and irreſolute. Though, by deſerting her father, ſhe had given the moſt ſignificant teſtimony of her approving of the expedition of the prince of Orange, yet, in confidence to her friends, ſhe expreſſed an abhorrence of any meaſure injurious to the right and dignity of the former. Prince George, her huſband, was nevertheleſs admitted into the private conſultations of the prince, and was believed to concur in every meaſure favourable to his views of independent royalty. Lord Clarendon, ſtaggered by theſe apparent inconſiſtencies, and zealous for maintaining the regular ſucceſſion, waited upon the princeſs Anne, and availing himſelf of the privilege of a relation, demanded an explicit communication of her opinion and inclinations with reſpect to the ſettlement of the crown. She anſwered with frankneſs, and to his entire ſatisfaction, that ſhe would take no part in any meaſure hurtful to her father's rights; and affirmed, that all reports to the contrary were falſe and abominable. This declaration ſhe confirmed by a note written with her own hand, which ſhe allowed lord Clarendon to keep in his poſſeſſion [47]. Though the right of the princeſs was prior to that of William, yet it was only in conſequence of his ſucceſſion, and by a concurrence with his plans, that ſhe could indulge the hope of ever ſitting upon the throne of England; while the rank of next heir to the crown, and the promiſe of a liberal penſion from the prince, preſented to her alluring temptations of emolument and grandeur [48]. The influence of theſe proſpects was ſeconded by the preſſing advice of lady Churchill, who had acquired a powerful ſway over the mind of her miſtreſs, and with her elevation began to forecaſt thoſe projects of honour and profit to her own family, which ſhe afterwards had the good for-

[47] Clarendon's Diary, 17th and 27th January, 5th February, and 12th March.
[48] Buckingham.

tune

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tune to realize[49]. The princeſs, however, ſtill wiſhed to maintain the external appearance of decorum, and not to offend her perſonal friends wedded to the order of ſucceſſion, by any public approbation of the meaſures of the whigs; but, when the ſtrength of that party appeared inadéquate to eſtabliſh the ſucceſſion of the prince of Orange, the baſis of her fondeſt proſpects, ſhe was conſtrained to drop the maſk, and to ſacrifice reputation for integrity and filial affection, at the ſhrine of ambition.

Effects of them.

This was the ſignal of alarm to thoſe who had hitherto ſtruggled againſt the advancement of the prince of Orange. When the current ſet in for his intereſt, ſome were afraid of being left behind in the competition for his favour, and ſome wiſhed, by the fervour of their zeal, to atone for paſt demerit. Upon the ſixth of February, when the great queſtion was decided, lords Cheſterfield, Holland, Weymouth, Ferrers, Godolphin, the biſhop of Oxford, who had voted for the regency, abſented themſelves from the houſe. Others, who had formerly diſcontinued their attendance upon the pretext of delicacy, becauſe they owed great perſonal obligations to king James, now came forward, and gave their voice in concurrence with the reſolutions of the commons. In this claſs were lords Churchill, Lincoln, Mulgrave, Carliſle, and Lexington[50]. Crew, biſhop of Durham, who had deeply participated of the guilt of king James, by the active part he had taken in the eccleſiaſtical commiſſion of which he was a member, now purchaſed his pardon and the confirmation of his dignity, by his ſervices to the prince of Orange[51]. The queſtion to concur with the commons, in finding the abdication and vacancy of the throne, was carried by a majority of fifteen votes. The lords, though they had long retarded the ſettlement of the nation, afterwards exceeded the zeal of the commons, by putting the finiſhing hand to this work; and having firſt agreed to

The lords concur with the votes of the commons,

49 Conduct of the dutcheſs of Marlborough. Liliard's Life of Marlborough, vol. i. p. 49.

50 Life of William, vol. i.

51 Burnet, 1689.

P. their vote, that the throne was vacant, they next came to the resolution, that it should be filled with the prince and princess of Orange; and that the full, regal power should be vested in the prince alone; and finally, that, after their decease, it should descend to the princess Anne[52]. This important resolution was voted by a majority of twenty.

1689. and settle the crown upon William and Mary.

Thus the cause of the whigs surmounted an obstinate and tedious opposition, and the prince of Orange was advanced to the throne, without being subjected to any limitations of authority, more than what were understood to be already inherent in the laws and constitution of England. Upon this idea was formed that celebrated instrument, called the bill of rights, and presented to the prince and princess of Orange, together with the crown, and accepted by them, as the condition of obtaining and holding it.

Bill of rights.

Alteration of the oaths.

The last act of the convention was an alteration of the oaths to government. The tories, though they had struggled for a regency, and endeavoured to obstruct a departure from the line of succession, were by no means willing to be excluded from trust and employment under the new government. Nor would it have been wise in the new king, to have stigmatized a body of men pre-eminent in patrimonial dignity and influence. It was therefore referred to the leaders of that party in the house of lords, to contrive such a form of the oath of allegiance, as might secure their attachment and services to the new government, while it did not offend their conscience, or violate their honour[53]. They scrupled to acknowledge William as their rightful and lawful sovereign, but they were ready to swear fidelity and allegiance to the king in possession. By this accommodation, the scruples of the tories were removed, and the earl of Nottingham boasted in the name of his party, that though they would not make a king, yet they would serve him as faithfully as those who had made him.

[52] Journ. Lords, 6th February.

[53] Ibid. 12th February.

Whether

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1689. Effects of the revolution with respect to the constitution.

Whether the revolution changed the constitution of the English government, and in what degree it has done so, are questions which have given occasion to great wrangling and diversity of opinion, among political authors. It is probable, that disputants would be more nearly reconciled, and in part brought to agreement, if they were to separate, or divide this question.

1. It may be asked, what the convention, which established the revolution, thought, with respect to this subject? What they meant and professed to do? They have answered these questions, in the language of the bill of rights. In the preamble to the bill it is asserted, that James, by the assistance of evil counsellors, had endeavoured to subvert the laws and liberty of the kingdom. After enumerating many examples of this, they introduce the bill of rights, with an express declaration, that the purpose of it was to vindicate and assert their ancient rights and liberties. And having recited these, they conclude in the following words: "that they do "claim, demand, and insist, upon all and singular the premises, as "their undoubted rights and liberties."

So far then, as the authority of the convention is admitted to explain its own design, there is no ambiguity or room for dispute. The professed object of the revolution was, to maintain the government as it existed, to preserve the *ancient, well known*, and *undoubted privileges*, of the people. By the assumption of this language, they acted with the most cautious prudence, and agreeable to the dictates of the wisest policy. If the constitution had been once thrown loose, it is impossible to say, how difficult it might have been to have fixed it again: If innovations had been avowedly introduced, how much they might have been multiplied, or where they might have ended. The very ground of their resistance to king James, was his having attempted to introduce innovations into the constitution; and having prevailed against him, they acted with uniformity and consistency, in professing to heal the breaches that had been made

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upon it, and to reſtore it to its primitive and genuine purity. In this view of the ſubject all muſt agree, that the convention, in expreſſions plain, poſitive, and incontrovertible, declare againſt innovating upon the conſtitution, or changing it.

If the queſtion be put in another form, and reſtricted to the real matter of fact; if it be aſked, whether the conſtitution was actually changed by the revolution? a wider field of controverſy expands to our view, and a greater latitude of ſentiment muſt neceſſarily take place. My opinion upon this ſtate of the controverſy will occur, with greater propriety, in a ſubſequent part of this work[54]. I ſhall only in this place ſo far anticipate the ſentiments there expreſſed, as to obſerve, that there is not any perſon, the moſt tenacious of the doctrine of the antiquity of our conſtitution, who will be inclined to deny, that whatever the rules of government may have formerly been, yet the maxims, and habits, and temper, of thoſe who govern, have been greatly reformed by the revolution.

Another queſtion naturally occurs; namely, how far was this meaſure, or the revolution itſelf, conformed to the genius of the conſtitution, or the eſtabliſhed laws of England? Though it may be deemed a kind of ſupererogation in argument, to ſay any thing in defence of a meaſure urged by neceſſity, and by every motive of reaſon and feeling, yet it may be ſatisfactory to ſome, to obſerve, that, by the revolution, the laws and conſtitution of England were not violated at all, or, at leaſt, in that degree, which is taken for granted by many, who are by no means to be conſidered as enemies to the revolution itſelf. From the period of the reformation in England, the civil government and the proteſtant religion were interwoven, and reciprocally pledged for the preſervation of each other. Next to its own ſafety, it became the object of the ſtate to cheriſh and defend the proteſtant religion. Hence, by the purport of numberleſs ſtatutes, any ſhare or participation of government

[54] See Chapter xxi.

was

was irreconcilable with the profeſſion of the Roman catholic religion, and conſidered in the ſame light as treaſon againſt the ſtate. Is it conſiſtent with the authority of theſe ſtatutes to imagine, that a diſqualification, ſpecified and fixed with reſpect to every inferior office of magiſtracy, ſhould be tolerated in the ſupreme magiſtrate? Nay, would not this have fruſtrated the purpoſe and tendency of all the laws deviſed for excluding Roman catholics from any ſhare of government? For, what was the purpoſe of theſe laws, but to prevent the revival of a reprobated religion, which was moſt likely to happen, if it was profeſſed by thoſe perſons whoſe influence and example muſt be ſtrengthened, by the authority and patronage of office? But for what purpoſe bind the weak, and leave the ſtrong man looſe, uncontrolled, and unawed? Did not the prince, in proportion as he was exalted above all inferior officers and magiſtrates, enjoy a more extenſive and irreſiſtible power of contaminating, and ſubverting that religion, which was incorporated with the government itſelf? If the legiſlature was ſilent upon this ſubject, was it not more rational, to impute this ſilence to a delicacy, which abſtained even from imagining ſuch inconſiſtency and enormity in the character of the ſupreme magiſtrate, than to ſuppoſe that it ſhould be ſo much at variance with itſelf, as, by one ſtroke, to counteract the effects of all its labours and precautions, while it permitted him to profeſs a religion incompatible with the conſtitution and government of the country? Such ſeem to have been the views of the convention, when it found that it was not conſiſtent with the conſtitution to be governed by a popiſh prince. This was no more than the declaration of a fact already notorious, rooted in the principles of the conſtitution, and fortified by innumerable ſtatutes and precedents.

If this ſtrain of reaſoning be admitted as juſt and ſolid, it evidently follows, that the throne, upon the converſion of James to the Roman catholic religion, became open to the next proteſtant heir.

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heir. It devolved, without any interpofition of the legiflature, and of right, upon the princefs of Orange. If fhe had been willing to accept it, according to the ftrict principles of hereditary monarchy, the convention would have had nothing to do, and their difpofal of it againft her inclinations would have been a breach of order, and an infringement of the conftitution. But the princefs of Orange exprefsly declined the fucceffion; the princefs Anne, next in the hereditary line, alfo declined it. Both of them expreffed their confent to devolve their right upon the prince of Orange. The convention did no more than confirm this transfer in name of their conftituents.

It may be afferted, that, in ftrict conformity to thefe maxims of the conftitution, the infant prince ought to have been named firft to fill the vacant throne. I do not object to this upon the fuppofititious birth of the prince, becaufe I do not think that the objection is fupported by evidence; but I object to it upon the fcore of impoffibility: I fay impoffibility, holding in view the principal object of the meeting of the convention; namely, the prefervation of the proteftant religion, and the fettlement of the nation. It was abfolutely impoffible that thefe ends could have been obtained, by keeping the throne open for an infant prince, carried into a foreign kingdom, and under the tutelage of a father, who had facrificed all to the intereft of the Roman catholic religion. The convention, it fhould feem, was aware of thefe confequences, and with great propriety and wifdom declined to examine the evidences of the birth of the prince of Wales.

## C H A P. X.

*Obſervations upon the political State of Scotland.—Circumſtances favourable to Liberty in England.—Adverſe to it in Scotland.—Loyalty of the Scots,—precarious, and little availing to the Prince.—Attachment of the Scots to the Preſbyterian Form of Religion,—the Cauſe of their Oppoſition to the Houſe of Stuart—productive of Events favourable to the Revolution.—Imprudent Government of James in Scotland.—Progreſs of the Revolution there.—The Scotch Nobility in London addreſs the Prince of Orange to aſſume the Government, and call a Convention.—The Preſbyterians moſt ſucceſsful in the Elections.—The Convention meets.—Cautious Meaſures of the Convention.—The Duke of Gordon holds the Caſtle of Edinburgh for James.—The Friends of James reſolve to call a Meeting of the Convention at Stirling.—Dundee flies from Edinburgh.—His Friends deſert the Convention.—The Convention addreſſes William.—Subjects of Deliberation in the Convention—Reſolutions.—Settlement of the Crown on William and Mary.*



IT has been generally ſuppoſed, that James was induced to quit the helm of government in England with the greater precipitancy, from the hope of the reſources of power which awaited him in Ireland and Scotland; and particularly from the entire confidence he repoſed in the loyalty of the Scots, and their readineſs to ſupport his future efforts for the recovery of his throne. There were, however, various circumſtances in the ſituation of Scotland, and peculiar features in the character of the people there, which would have rendered a diſcerning and cautious politician diſtruſtful of any event, ſuſpended upon their inclinations or fidelity. A few previous obſervations on this ſubject, it is hoped, will prove acceptable to the reader; becauſe, while they explain the cauſes of the unexpected facility and expedition with which Scotland concurred in the meaſures already

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recited, they ſerve at the ſame time to exhibit a true and inſtructive deſcription of the political ſtate of that kingdom.

Obſervations upon the political ſtate of Scotland.

If we compare the laws and conſtitution of Scotland previous to the union of the crowns, with thoſe of England at the ſame period, it will be found, that, though in many inſtances a preference may be due to the latter, yet the fundamental principles of the former are not leſs favourable to the intereſt of the ſubject[1]. But there prevailed not, among the people of Scotland, that high ſenſe of the value of liberty, which rendered the Engliſh ſo jealous of its infringement, and ſo vigilant to ſeize every incident and opportunity which might ſerve to extend or ſecure it. The love of liberty is nouriſhed by the civilization and habits of a nation, more than by the genius and tendency of its government. The ideas of the Engliſh, more liberal

Circumſtances favourable to liberty in England.

[1] The States of Scotland were intitled to claim the following prerogatives, upon the authority both of ſtatutes and precedents: 1. A power to reſiſt the ſovereign, if he invaded the conſtitution. See Statutes, parl. 6th, James II. ch. xxv. in the black acts printed by Lekprivick. 2. The king anciently had no negative voice in parliament, while the ſtatutes often reſtrained him in matters of government. 3. The Scotch parliament often appointed the times of their meeting and adjournment, and committees to ſuperintend the adminiſtration, during the intervals of their meeting. 4. The king could not make peace or war without their conſent: The people were armed by their authority: Commanders, and even the guards who attended the perſon of the king, were ſometimes appointed by them: They not only raiſed money, but in ſome inſtances appropriated it: They ordered the coining of money, and regulated the ſtandard of it. 5. The lords of parliament ſettled all the fees of the officers of juſtice, and of the courts of judicature, and even of the officers of the king's houſe. Faulty judges were not to be reſtored without conſent of parliament. See Ancient Rights and Power of the Parliament of Scotland, printed 1703. It is not affirmed that theſe powers were regularly exerciſed by the States, or that they were admitted by the kings of Scotland; but that examples and ſtatutes to this purpoſe are found in the early part of the Scotch hiſtory; that ſometimes the king complained that theſe were uſurpations by the ariſtocracy; and ſometimes they were ſanctioned by his approbation. The obvious inference from what I have quoted is this: That, if the Scots had been inſpired with a true taſte for freedom, their conſtitution and their hiſtory furniſhed them with abundance of facts and precedents, for reſiſting the arbitrary government of their princes.

The union of the crowns of England and Scotland gave a terrible blow to the liberties of the latter. Their prince now acquired a dignity and influence which quite overawed the haughty ſpirit of the ariſtocracy; while an inexhauſtible ſource of favours was opened, out of which he could reward the loyal and obedient. Every ſhadow of the former privileges of the States, it was the object of James I. Charles II. and James II. to extirpate: To all which it may be added, that delegated power is generally more inſolent and oppreſſive, than that which is exerciſed by the perſon to whom it immediately belongs. See note 1ſt, chap. iv. See, upon this ſubject, Buchanan de Jure Regni apud Scotos.

than

than their conftitution, contributed ftill farther to embellifh and improve it. The fentiments of the Scots, more narrow and abject, retarded the progrefs, and cramped the expanfion of freedom. This diverfity of fentiment and character, which cannot be refolved into the effects of laws and government, muft be traced to other incidental circumftances, no lefs powerful in forming the tempers of individuals and communities.

After the union of the families of York and Lancafter, a variety of caufes co-operated in England to remove thofe obftacles which prevented the great body of the people from rifing to a ftate of independence; and to promote a more rapid circulation, and a more equal divifion of property. By the ftatute of Henry the feventh, the barons were enabled to break entails, and to alienate their eftates. The extenfion of commerce introduced articles of foreign luxury, and confumed a part of thofe overgrown incomes, which had formerly been employed in the maintenance of a numerous body of indolent retainers, who rendered their proprietors more oppreffive to the inferior ranks of mankind, and more formidable to each other.

The progrefs of liberty and arts was ftill farther accelerated in England, by an acceffion of induftrious and enlightened foreigners. Multitudes of the inhabitants of the low countries, haraffed by oppreffive taxation, and by perfecution for the fake of religion, chofe England for the place of their refuge and future abode; allured by its climate, favourable to agriculture; and its coafts, which abounded in harbours, convenient for navigation and trade. Thefe foreigners not only communicated more enlarged notions concerning liberty, but the arts which they introduced, gradually fubverted thofe ideas and habits of the great, which continually ftand in oppofition to its progrefs in rude and uncivilized countries. The accumulation of fortune, accruing to the proprietor from the cultivation of his eftate, obvioufly fuggefted the connection between his own intereft and the independence of the farmer. The progrefs

 of

of manufactures increafed the number and wealth of the inhabitants of the cities, and ftimulated their induftry by the profperity with which it was crowned. Thus, in England, while men were more upon a footing of equality, independence, and opulence, were not confined to perfons of high birth or office; the protection of the laws and the difpenfation of juftice were claimed, with the fame confidence, by every rank and profeffion. The increafe of commerce and manufactures, and the improvement of agriculture, opened plans of peaceable occupation, and the profpect of profit and advancement, to men of activity and enterprife, independent on the favour of the fovereign. Hence many families afcended to wealth, and maintained focial intercourfe with each other, free from jealoufy or rivalfhip. The fecurity of property, and the equal difpenfation of juftice, contributed to their common intereft: Thefe became the great objects of government; which, therefore, they regarded as the bafis and fafeguard of their profperity; and were ready with one heart and hand to defend it, if in danger; and to improve and fortify it when opportunity offered.

Adverfe to it in Scotland.

In Scotland, different caufes produced different effects; and occafioned a wider chafm between the political fentiments of the two nations, than what fubfifted between the civil conftitution and fyftem of laws belonging to each of them. It was late before agriculture, as a fcience, was introduced into Scotland; and before the inhabitants attained to thofe improvements, which tend, in fome degree, to guard againft the natural difadvantages of climate, and to fertilize a barren foil. Their commerce was extremely reftricted: and inftead of money, which, by its eafy conveyance, finds a rapid and general circulation, and awakens the induftry and exertions of every clafs of men, it only brought home returns of foreign commodities, to feed the luxury and uphold the pomp of opulent chieftains. Hence the people continued idle, indigent, depreffed. Multitudes depended entirely,

entirely, for a ſcanty ſubſiſtence, upon the capricious bounty of the proprietors on whoſe eſtates they firſt drew their breath, and to whom they had been inured, by the earlieſt prejudices of education and example, to devote themſelves with the moſt ſervile homage. After the period of the reformation in Scotland, the people were appriſed of their right, to think and judge freely concerning matters of religion; and though it might have been expected, that ſuch enlargement would have conducted them to more liberal ſentiments with reſpect to politics and civil government, yet the effects of this connexion were but little apparent; and, provided that they were indulged in the religion of their choice, they ſeemed not to have been diſpoſed to murmur or complain, on account of reſtrictions laid upon their civil liberty. Nor were the prejudices and manners of perſons of diſtinction more propitious to the introduction and improvement of order and liberty. Their treatment of their dependants at home, domineering, inſolent, oppreſſive, familiariſed to their mind the idea of tyrannical government. In conſequence of the ſcarcity of money, increaſe of property only produced an increaſe of thoſe rude commodities, which enabled them to maintain a greater number of vaſſals, rendering them more oppreſſive to their neighbours, and more dangerous to the ſtate. All their pride centered in the antiquity of their families, and was gratified by the number and pomp of their attendants. Thus there was no unity among the perſons who were called upon, by their ſtations, to be guardians of the conſtitution; no ſenſe of a public or common intereſt; no concert to reſiſt encroachments upon liberty, if their own perſonal fortune and dignity were not immediately affected. The royal family they held in great reſpect, on account of their pre-eminence in rank, which extinguiſhed every idea of rivalſhip or competition. From theſe circumſtances, it was natural for James to draw concluſions favourable to his intereſt; that the people of Scotland would neither be ſo deeply offended with his arbitrary proceedings, nor allured by any ſyſtematic

Loyalty of the Scots.

ſyſtematic plan held forth by their fellow-ſubjects in England, for enlarging their privileges, or amending the conſtitution.

precarious and little availing to the prince.

There were, however, other effects ariſing from the cauſes already deſcribed, which rendered the allegiance of the Scots to their king extremely precarious, and, at the moſt, capable of affording him but partial and feeble ſuccours, upon the emergency of a civil war, or the defection of his Engliſh ſubjects. The turbulence of their ſpirit, and the rudeneſs of their manners, rendered men of property and influence impatient under the control of regular government, and exceedingly forward to take a part in any commotion which agitated the ſtate. Neighbouring chieftains ſucceeded to hereditary feuds, which they often proſecuted by incurſions into the eſtates, and violent aſſaults upon the perſons, of their rivals. Their quarrels, at an early period, required the interpoſition of the royal power, which, of conſequence, became obnoxious to the hatred of the perſon againſt whom it had been exerciſed, and ſometimes excited the jealouſy of both the contending parties. The entire, undivided ſtrength of the leading men in the nation never could be collected or depended upon. They had a ſtrong propenſity to loyalty; but envy of the ſuperior intereſt of a rival, with their ſovereign, or the proſpect of ſupplanting him, often interrupted the exerciſe of that affection, and diſappointed the court of the ſupport it might have expected from individuals, correſponding with the favours they had received, and the profeſſions of loyalty they warmly avowed. The truth of theſe obſervations is fully confirmed by the conduct of individuals in Scotland at the revolution.

Attachment of the Scots to the preſbyterian form of religion,

The ſtate of religion in Scotland concurred with the cauſes already mentioned, to propagate diſcordant affections and divided intereſts, and to prevent a poſſibility of uniting the whole force of the nation, upon the occurrence of any extraordinary political commotion. As the opinions, inſtilled into the mind of the individual in tender years, maintain an aſcendency over his ſentiments through the



the fucceeding ftages of life; fo the fyftem of religion embraced by a community upon its firft formation, or immediately after any fignal revolution, defcend to the remote ages of pofterity, in defiance of external means employed to eradicate or change it. The Scotch nation, prepared by extremity of oppreffion to revolt from the fee of Rome, received the elements of reformation, and the model of their ecclefiaftical government, from teachers who had been educated in the fchool of Calvin. Difgufted with the frivoloufnefs and multiplicity of external ceremonies prefcribed by the popifh ritual, they rejected with horror even thofe lefs exceptionable forms of worfhip, which are calculated, through the medium of the fenfes, to excite impreffions of reverence and awe, fuitable to the folemn nature of religious fervice. Filled with indignation at that fubjection which the blind fuperftition of their fathers had yielded to the papal dominion, they became jealous of any jurifdiction which was not contained within the precincts of their ecclefiaftical corporation, or which was independent on the fubordinate members of their congregations.

The caufe of their oppofition to the princes of the houfe of Stuart.

From thefe ftrong prepoffeffions of the reformed in this country, fprang all thofe commotions which difturbed the civil government in the three preceding reigns. It was not till after James the firft had obtained the crown of England, and acquired the fupport of a more powerful body of fubjects, that he dared to profecute his favourite plan of eftablifhing epifcopacy in Scotland; and the form of it, then introduced, was moderate and humble, and, in reality, more nearly allied to prefbytery, than it was to the worfhip and government of the church of England[a]. Extempore prayers, agreeable to the practice of the prefbyterians, were ftill continued: the Lord's Prayer was repeated at the end of the fervice, and, together with it, the Doxology and the Creed upon the adminiftration of baptifm. The fign of the crofs upon that occafion was ufed or not, according to

[a] Calderwood. Burnet.

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the inclination of the parents, who alone could be admitted as sponsors for their children: what gave great offence to the people was, the ceremony of kneeling was required at the receiving of the Lord's Supper [3]. The holidays were few, in comparison with those observed in the church of England: the endowments of the bishops were not so liberal as to raise them to an immoderate elevation above the parochial clergy, and the prerogatives with which they were invested, arose chiefly from their precedency in rank, and their acting as perpetual presidents or moderators in the ecclesiastical courts convened within their dioceses [4]. When Charles I., prompted by weak bigotry and the furious zeal of his unworthy favourite, archbishop Laud, attempted to introduce a liturgy into the episcopal church of Scotland, he not only provoked the violent resistance of the mob; but lost the affections of many of his subjects, of the first rank, and most liberal education, in that part of the dominions [5]. And hence his disaffected subjects in England were encouraged to proceed, from altercation and contests, to armed violence; which terminated in the ruin of that prince, and the destruction of the established government. The aversion of the Scots to the usurpation of Cromwell, was in a great degree mitigated by religious toleration, which was the favourite maxim of his government; and if the covenanters did not obtain an exclusive indulgence, agreeable to the expectations excited by their important services and early connexion with the parliament of England, their resentment spent itself in vain murmurs and threats, while they were not molested in the profession of those doctrines, and the exercise of that worship, which they believed to be prescribed by the oracles of

[3] Vindication of the Government of Scotland, by sir George M'Kenzie. Skinner's Ecclesiastical History, vol. ii. chap. 43-4. The account I have given of the form of baptism being left to the choice of the parent, I have heard from persons who have been present when baptism was performed by a clergyman who professed to observe the old episcopal form, and who had been turned out of his living at the revolution. The alternative of using the cross or not, might perhaps be suggested by the moderation of the individual on those occasions.

[4] Burnet. Robertson's History of Scotland, vol. ii. p. 119. Spottiswood, p. 502.

[5] Clarendon's History. Hume.

divine truth[6]. The fatal consequences of the father's bigotry did not curb the temerity of his son. A mean resentment of affronts he had received from the presbyterian clergy[7], at a period when he had thrown himself upon their protection, co-operating with mistaken apprehensions concerning the political advantages of uniformity, determined him, against the advice of Lauderdale, his principal counsellor, to suppress the favourite religion of Scotland[8]. Episcopacy, in a form more extended and unpopular, was established by the statute. The jurisdiction of the bishops was no longer controlled by the opinions and votes of the presbyters: they were required indeed to advise with the inferior clergy, upon the management of ecclesiastical affairs; but this apparent restriction, instead of diminishing, extended their authority, because it was left to their own choice to select from among them, such persons as they knew to be most inclined to flatter their opinions and support their measures[9]. The imprudence, the violence, and immoral characters of individuals, whom Charles II. invested with the mitre, revived the ancient prejudices of the common people of Scotland against their order; and excited the most obstinate resistance to the edicts of the court[10]. The rigorous severities, employed to enforce the laws against nonconformists, were recorded in the memories of their friends, with vindictive resolutions, and infused a horror at government into the minds of many who had been nursed in the principles of loyalty. A detail of these persecutions, though it might found the charge of weakness and obstinacy against some of the persons who suffered by them, would exhibit the most cruel scenes which blacken the page of history[11]. The day of reckoning at last approached. Many who fled from their native country, carried along with them unrelenting hatred to the government which had oppressed them. Some of them who took shelter in Holland, entered into concert there, with the English gentle-

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Productive of events favourable to the revolution.

6 Burnet. 7 Hume. 8 Burnet.
9 Woodrow's History, vol. i. p. 116. Burnet.
10 Woodrow. Burnet.
11 Ibid.

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men who planned the revolution, and, by a conſtant correſpondence with their friends in Scotland, foſtered their diſaffection, and encouraged their expectations of deliverance[12]. After James aſcended the throne, he endeavoured, under the fair pretext of toleration, to inveigle the preſbyterians, to give their countenance to meaſures ſubſervient to the intereſts of his Roman catholic friends. He became the dupe of his own craftineſs; and ſtrengthened the hands which ſhook his throne in Scotland. The epiſcopals, offended with the liberty granted to the preſbyterians, began to abate that ardour of loyalty, of which they had hitherto boaſted; while the ſincere affections of the preſbyterians were not gained[13]. Both of them penetrated into the inſidious ſcheme: but the preſbyterians alone were forward and active in concurring with the revolution in England. The toleration held out to them brought home a great number of that perſuaſion, who had fled to Holland and the diſtant colonies of England, during the perſecutions of the preceding reign. Far from being lulled into ſecurity by the fair profeſſions of James, they devoted themſelves, with unwearied induſtry, to renew and extend their connexions in Scotland; and to form ſuch plans as might enable them to obtain a ſuperiority over their antagoniſts of the epiſcopal church, in caſe of any national convulſion, ſo likely to enſue from the infatuated violence of the king. The news of the arrival of the prince of Orange inſpired the preſbyterians with tranſports of joy; and tempted them to retaliate upon the epiſcopals thoſe injuries, of which they themſelves had juſtly complained[14]. In the weſtern parts of Scotland they attacked the perſons of the eſtabliſhed clergy with outrageous violence; they dragged them from their pulpits; carried them about in mock proceſſions; and finiſhed their inſults, by tearing their gowns, the harmleſs but hated badges of their order[15]. In ſome of the towns the Roman chapels and epiſcopal

[12] Life of Carſtares.

[13] The caſe of the church of Scotland. Somers' Collection, vol. xii. p. 490. Guthrie, vol. x.

[14] Cunningham, vol. i. Burnet.

[15] The caſe of the epiſcopal clergy in Scotland. Somers' Collection, vol. xv. State Tracts, vol. iii.

churches

churches were ſubjected to the ſame promiſcuous ravage. Thoſe of the nobility and gentry, who had diſtinguiſhed themſelves as the patrons of the preſent eſtabliſhment, were every where expoſed to aſſault and danger.

Imprudent government of James in Scotland.

The conduct of James, not only with reſpect to the meaſures he adopted, but alſo with reſpect to the perſons he made choice of to carry them into execution, was the occaſion of juſt offence to his ſubjects in Scotland. The perſons he ſelected to be the inſtruments of his moſt unpopular meaſures, poſſeſſed not that ſhare of prudence nor experience in buſineſs, which might have contributed to repreſs or to moderate the reſentments which thoſe meaſures excited. The moſt lucrative offices were conferred upon men who were ſecretly diſaffected to the king's perſon; and who were warranted by him, to draw profits out of the pockets of his beſt friends, by exactions of a new form, and of the moſt oppreſſive tendency. As if his projects of bigotry had not been ſufficiently odious in themſelves, they were rendered ſtill more deteſtable, by being made ſubſervient to the emoluments of rapacious miniſters. The king had made a public declaration of his diſpenſing power in Scotland, by ordering all thoſe perſons who held offices, civil or military, to make a reſignation of their commiſſions, which had been expreſſed in the common form, and under the condition of their ſubmitting to the teſts; and by authoriſing them, at the ſame time, to receive new commiſſions free from theſe obligations[16]. Many of the king's loyal ſubjects were, in this manner, not only ſubjected to an unjuſt repetition of the clerks fees for the renewal of their commiſſions, but filled with uneaſy apprehenſions, leſt they ſhould be expoſed to ſevere penalties, by holding them in contradiction to the law. A more arbitrary, oppreſſive, and ungrateful meaſure of policy was exerciſed againſt others, who held their offices, by virtue of the king's warrant to diſpenſe with the teſts. They had gratified him, by a compli-

[16] Account of the Affairs of Scotland, by the earl of Balcarras. Somers' Collection, vol. i.

ance which recognifed his difpenfing power, and the judges had unanimoufly given it as their opinion, that the royal warrant was a fufficient protection againft any profecution for damages; and yet thefe very perfons were compelled, by a proclamation, to take out remiffions of the penalties which they had incurred, in obedience to the king's command, and to pay for them three pounds to the fecretary of ftate, and twenty pounds to one James Stuart, who was empowered to profecute them, if they did not comply with this proclamation, within the fpace of two months. It was to the laft degree mortifying to the king's friends, to obferve that the perfon whom he employed as the inftrument of oppreffing them, had himfelf received a pardon for plotting againft the government; and it was even fufpected, that he made ufe of the confidence now repofed in him, to cover the perpetration of the fame crime[17]. Such perverfe and infatuated generofity, founded in oppreffion and ingratitude, eftranged the hearts and the confidence of the friends of James, and converted few of his enemies. The adherents of the prince of Orange in Holland and in London, encouraged by the difcontents in Scotland, communicated their defigns to fome of the leading men of that country. Many of the noblemen and gentlemen from Scotland, were admitted to private confultation with prince George of Denmark, and were affured by him, that the fuccefs of the prince of Orange was defired by the neareft relations of king James; and that, by contributing to it, they purfued the fureft road to preferment. When all thefe confiderations are attended to, we are not furprifed to find, that, notwithftanding the ancient loyalty of Scotland, the abettors of the revolution in that country were fo many; and that they kept pace with England in the ardour and fuccefs of their fervices.

Progrefs of the revolution in Scotland.

After the arrival of the prince of Orange, a confiderable number of Scotch lords and gentlemen, who had reforted to London in con-

[17] Account of the Affairs of Scotland, by the earl of Balcarras. Somers' Collection, vol. i.

fequence

fequence of the national diftractions, affembled with great alacrity, at the defire of the prince of Orange, and exactly copied the proceedings of the Englifh lords. They prefented a petition to the prince, praying him to take upon him the management of public affairs, and to call a convention of the States, to advife about the final fettlement of their government [18]. The prince, in return for this addrefs, thanked them for the confidence repofed in him, and appointed a convention of the States of Scotland to meet at Edinburgh upon the fourteenth of March one thoufand fix hundred and eighty-nine.

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1689. The Scots nobility in London addrefs the prince of Orange, to affume the government, and to call a convention. 14th Jan.

The ftability of the new government in England evidently depended, in a great meafure, upon the temper and refolutions of the Scotch convention. The vicinity and warlike difpofition of the Scots enabled them to difturb the peace of England as often as they were inclined to do it; but fhould they now thwart the meafures adopted by the convention there, and recognife the fovereignty of James, there was the ftrongeft reafon to fear, that many of the Englifh, who wavered in their affections, or who acted under the recent impreffion of injuries, would return to their firft allegiance, and again unfettle the nation. Every precaution therefore was ufed by the prince of Orange, to obtain a choice of members in the convention of Scotland favourable to his intereft. The expreffion of the fummons was fo guarded, as to exclude none but Roman catholics.

The prefbyterians moft fuccefsful in the elections.

The prefbyterians, ftimulated by refentment, were alfo encouraged, by the affurance of the prince's protection, to exert their influence to get their friends to be elected members of the convention. The epifcopals, depreffed with the fear of lofing their eftablifhment by the projected revolution of government, contended, with unequal fpirit and activity, for a fhare of the reprefentation [19]. Their intereft lay, in preventing, if it had been poffible, inftead of promoting, a meeting to be affembled for the purpofe of a revolution.

[18] This petition was fubfcribed by thirty lords and eighty gentlemen. [19] Ralph. Tindal.

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tion. Some of them objected to the lawfulnefs of obeying a fummons from the prince of Orange, which implied a recognition of his authority. Inftructions were fecretly imparted to the friends of James, fignifying his defire, that they might wave thefe fcruples, and endeavour to obtain fuch a fuperiority in the convention, as would enable them to carry every vote, in oppofition to the intereft of the new court. But thefe inftructions arriving too late, and neceffarily publifhed with referve, which left their authority doubtful, the elections had been conducted with an advantage on the fide of the whigs, which could not be retrieved by the adverfe party. A decided majority, returned agreeably to their wifhes, ftill farther improved their ftrength, and reduced the tories to a fcanty minority, by the partiality of decifions upon the preliminary queftions of controverted elections.

The convention meets. 14th March.

The duke of Hamilton was elected prefident of the convention, in preference to the marquis of Athol, by a majority of forty votes out of one hundred and fifty. This dignity was fuppofed to be the only effectual fecurity for the perfeverance of the former, in the principles and connexions he profeffed to efpoufe, after the arrival of the prince; while it was expected, that political prudence, and a regard to confiftency of character, would reftrain the latter from entering into any concert with the partifans of James. The fuccefs of the duke of Hamilton, was underftood to be fuch a certain prognoftic of the triumph of the whigs, in every fucceeding queftion, that fome of the members, who had reforted to the meeting in a wavering difpofition, thought it prudent to enlift with the ftronger party; and others, who neither chofe to renounce their principles, nor adhere to them in the face of danger, withdrew into the country. The convention, however well-difpofed to promote the views of the prince of Orange, had ftill many difficulties and dangers to encounter. The duke of Gordon, a Roman catholic, held the caftle of Edinburgh in the name of king James. The vifcount

viſcount of Dundee, brave, enterpriſing, beloved by the army, a violent enemy to the preſbyterians, warmly attached to the intereſt of James, attended the convention, and animated and encouraged the hopes and efforts of his friends. The earl of Marr, governor of Stirling Caſtle, had engaged on the ſame ſide. The marquis of Athol, powerful by his influence among the Highlanders, and diſappointed in his competition for the precedency in the convention, was alienated from the prince of Orange, and had ſecretly entered into engagements with Dundee, to hold Scotland in the intereſt of king James. Lord Balcarras, reſpectable for his abilities and fidelity, was a firm friend to the abſent king.

Cautious meaſures of the convention.

The leading members of the convention, attentive to theſe circumſtances, and not daring to confide entirely in a ſuperior number of votes, turned their firſt attention towards the neceſſary precautions for ſecuring their own perſonal ſafety. A proclamation was iſſued, ordering all perſons, from ſixteen to ſixty, to hold themſelves in readineſs to take up arms. Eight hundred men, who had been raiſed for a guard to the city of Edinburgh, were put under the command of the earl of Leven, and ſir Patrick Home was placed at the head of the militia. Both theſe commanders had formed a ſtrict connexion with the prince of Orange in Holland, and returned to Scotland to promote his intereſt. A great number of the vaſſals of the duke of Hamilton, and of other noblemen upon the ſide of the court, were brought to Edinburgh, furniſhed with arms, and diſperſed in different places of the city. Four regiments of foot, and one of dragoons, ſent down from England under the command of general Mackay, were quartered in the neighbourhood of Leith, and Edinburgh, and entirely ſecured the convention from the apprehenſion of violence. The duke of Gordon was repeatedly required to ſurrender the caſtle of Edinburgh to the convention, and though he did not comply, yet, as he had formerly been ill uſed by James[20], and entered into a treaty about the terms of making a

The duke of Gordon holds the caſtle of Edinburgh for James.

[20] Guthrie's Hiſtory, vol. x.

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ſurrender, he did not impart that confidence which the friends of James would have derived from any other perſon, in their intereſt, who poſſeſſed ſuch powerful means of protecting them, and of annoying their enemies [21].

The friends of James reſolve to call a meeting of the convention at Stirling.

In this ſtate of uncertainty, as to retaining the advantage of external force, and unable to maintain an equal conteſt in the convention, the partiſans of James reſolved to avail themſelves of a commiſſion under his hand, by which the archbiſhop of Glaſgow, the viſcount of Dundee, and lord Balcarras, were authoriſed to ſummon a convention of the States to meet at Stirling. The friends of James, in compliance with this deſign, were ſecretly adviſed to depart from Edinburgh at an appointed hour, leſt they ſhould be prevented, by the ſuperior force of the other party, from complying with the purpoſe of this commiſſion. The marquis of Athol, after having approved of this meaſure, alarmed the ſuſpicion of his friends, by propoſing to poſtpone the time of their leaving Edinburgh. Dundee received information of a party having conſpired to aſſaſſinate him; and though he gave notice of this to the convention, and offered ſtrong circumſtances of proof [22], with a partiality approaching to a participation of guilt, they refuſed to inſtitute any inquiry againſt the contrivers of this barbarous deſign.

Dundee flies from Edinburgh.

Alarmed by the fluctuation and apoſtacy of his friends, the injuſtice of the convention, and the immediate danger to which he was expoſed, Dundee, without entering into any farther conſultation with the lords, who ſtill profeſſed an attachment to James, fled from Edinburgh, attended with a ſmall body of horſe [23]. His retreat furniſhed the majority of the convention with a pretext for ſuch meaſures, as nearly annihilated any oppoſition to their deſigns. The preſident threatened to apprehend all thoſe members of the convention who ſhould be found in concert with Dundee: the earl of Marr, governor of Stirling caſtle, was put under an arreſt; and diſap-

[21] Memoirs of Lord Viſcount Dundee. [22] Ibid. [23] Ibid.

pointed

pointed the friends of James of the proſpect of any refuge in that fortreſs.

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His friends deſert the convention.

It ſeems to have been the purpoſe of the majority in the convention, to drive away the friends of James, rather than to proceed to open hoſtilities againſt them. Their preſence would have embarraſſed and retarded the meaſures neceſſary for accompliſhing a ſpeedy ſettlement of the nation. The unanimity of the convention, if that could be obtained, was a deſirable object to William, and more likely to give ſucceſs and ſtability to their reſolutions. But unanimity, procured by the impriſonment or expulſion of all opponents, inſtead of anſwering theſe ends, would probably have rouſed the immediate reſentment of their vaſſals in the country, and brought on a civil war in Scotland. An opportunity of withdrawing themſelves was artfully afforded to the partiſans of Dundee, by the preſident having adjourned the meeting of the convention, after he had threatened them with impriſonment. They embraced it without delay; and the next day, when a ſummons was iſſued to attend their duty in the convention, few of them remained in town.

The convention addreſs William.

The convention was now releaſed from every obſtruction which could either retard the expedition, or mar the unanimity of their meaſures. They drew up a reſpectful anſwer to a letter they had received from the king of England: They approved of the addreſs preſented to him by their countrymen in London; in conſequence of which he had aſſumed the government of Scotland, and ſummoned a convention of the States. They permitted a letter from king James to be read, after having entered a proteſtation, that nothing contained in it ſhould tend to annul the proceedings of the convention. In order to ſhew their contempt of his authority, the meſſenger who delivered his letter was firſt impriſoned, and afterwards diſmiſſed without any anſwer.

Subjects of deliberation in the convention.

The ſettlement of the government, and an union with England, were the important ſubjects recommended by the prince to the deliberation

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liberation of the convention. When we confider the variety, difficulty, and importance, of the queftions, involved in the plan for uniting the two kingdoms, we are rather furprifed that the friends of William fhould have fuggefted a meafure, which, inftead of confirming his power, might have been attended with unavoidable procraftination, and have given occafion to difputes and animofities, fatal to the authority he had already acquired. The few friends of James left in the convention, not ignorant of thefe confequences, joined with fome of the whigs, to prefer the queftion of the union to that of the fettlement of the government. The eyes of William's more difcerning friends were now quickly opened. The queftion of the union was not again refumed, and the convention came to a refolution of appointing a committee, confifting of eight members out of each ftate, to prepare the new plan of fettlement.

26th March.

Their refolutions.

The example of the Englifh convention abridged the deliberations and bufinefs of this committee. Their refolutions they feem to have copied, as far as circumftances would admit. They could not find, with propriety, that king James had abdicated the government in the fame fenfe that he had done in England, for he had not withdrawn perfonally from Scotland; but the fubftance of their refolutions was the fame. They found that king James had forfeited his right to the crown of Scotland. This refolution was agreed to by the convention; who next ordered the committee to bring in an act, for fettling the crown upon William and Mary, and to prepare an inftrument of government, to be offered with the crown, for the redrefs of grievances, and the fecurity of their liberties[24]. An act was accordingly brought

Settlement of the crown on William and Mary.

[24] The inftrument which the Scotch convention prefented to the prince of Orange, along with the crown, recites multiplied inftances of the mifgovernment of James; after which it fpecifies what they claim as the ancient rights and liberties of their nation Among thefe it is particularly expreffed, by article 21ft, "That "prelacy, and fuperiority of an office in the "church above prefbyters, is, and has been, "a great and unfupportable burden to this "nation, and contrary to the inclinations of "the generality of the people ever fince the "reformation; they having reformed popery "by prefbytery, and therefore ought to be "abolifhed."—The reader is defired to fix this in his memory, as important to throw light upon fubfequent parts of the hiftory of Scotland in this reign.

in

1689.
4th April.

in, to this purpose, and approved of by a great majority of the convention. The earl of Argyle, sir James Montgomery, and sir John Dalrymple, were appointed as representatives of the three estates of the lords, the knights, and the burgesses, to repair to London, to offer the crown to William. Upon the eleventh of April, William and Mary were proclaimed at Edinburgh, and the act of convention was read by the duke of Hamilton, their president.

## CHAP. XI.

*Appointment of Miniſters.—Obſervations.—The King's Speech in the Convention Parliament.—Reaſons for turning the Convention into a Parliament.—Bill paſſes for that Purpoſe.—Obſervations with reſpect to the Revenue.—Opinions concerning the King's Right to it.—Former Abuſes in the Management of the Revenue.—Reſolutions with reſpect to it.—Vote of the Commons for indemnifying the States.—Oaths to Government.—Motions for altering them—For exempting Proteſtant Diſſenters from the Teſt—Unſucceſsful.—Indulgence, in favour of the Clergy—agreed to by the Lords—refuſed by the Commons.—Bill of Comprehenſion—favoured by the Lords—thwarted by the Commons.—Cauſes of the ill Succeſs of this Bill.—Act of Toleration.—Bill of Indemnity.—The King anxious for it.—Different Plans of proceeding in this Bill.—The Whigs jealous of the King.—Obſtruct the Bill.—Act of Settlement.—Motion for naming the Ducheſs of Hanover in the Succeſſion.—Effects of this Motion.—Meaſures of Parliament adapted to extraordinary Events.—The Habeas Corpus ſuſpended.—The Mutiny Bill.—Supplies for Ireland.—View of the Regulations of the Revenue.—Severe Laws with reſpect to the Roman Catholics.—Oppreſſions inveſtigated—redreſſed.—Reflections.—Both Houſes enter into the King's Views of War with France.—Obſervations.—Miſunderſtanding between the King and the Whigs.—The Tories flatter the King with Promiſes of more generous Treatment.—Jealouſy of Miniſters among themſelves.—Engroſſing Spirit of the Whigs.—A Clauſe introduced into the Corporation Act, intended to exclude the Tories from Power—paſſes.—The King embarraſſed—diſſolves the Parliament.*

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THE choice of a miniſtry, the firſt act of William's ſovereign power, required great political diſcretion. It was not poſſible to find rewards, correſponding in number and value, to the many candidates for his favour, and the high price at which they eſtimated their ſervices. Diſappointment and complaint were unavoidable conſequences

ſequences of the limited ſtore of honours and emoluments, to which even royal munificence was reſtricted. To moderate complaints, to prevent reſentful and dangerous diſappointments, was the only object he could hope to obtain, by the moſt extenſive diſtribution of favours; and by adjuſting them, in the moſt equitable proportion, to the merits of the perſons who were to ſhare them.

Appointment of miniſters.

A proclamation, publiſhed February the ſeventeenth, confirmed all proteſtants in the poſſeſſion of the offices which they held, till his majeſty's further pleaſure was known; and, upon the twenty-firſt, the liſt of privy-counſellors appeared in the gazette[1]. The treaſury, admiralty, and chancery were all put into commiſſion, in order to afford the king the means of diffuſing his bounty, and rewarding, as far as his power could reach, the ſervices conferred upon himſelf and the nation. The earl of Monmouth was placed at the head of the treaſury; admiral Herbert at the head of the admiralty: The commiſſioners of the great ſeal were, ſerjeant Maynard, ſir Anthony Keck, and ſir William Rawlinſon: The earls of Nottingham and Shrewſbury were appointed ſecretaries of ſtate: The privy-ſeal was committed to the marquis of Halifax: The marquis of Carmarthen was made preſident of the council: M. Bentinck was created a peer, and appointed groom of the ſtole: Mr. Hampden was made a privy-counſellor, and one of the commiſſioners of the treaſury; and to him principally was intruſted the management of miniſterial buſineſs in the houſe of commons. The courts in Weſtminſter were afterwards filled, according to the recommendation of the privy council, with thoſe perſons, who had exhibited ſplendid profeſſional talents, in oppoſing the illegal ſentences and uſurpations of the preceding reign; and the nation rejoiced in the proſpect of a liberal interpretation of the laws, and a mild and equal adminiſtration of juſtice[2].

[1] The privy-council conſiſted of thirty-four members: Few of them were tories; of which deſcription the principal perſons were, Sancroft, archbiſhop of Canterbury, and the earl of Nottingham. M. Bentinck was the only foreigner in the liſt of privy counſellors.

[2] Burnet, &c.

Although

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Although the candidates for office at the commencement of this reign, have been commonly arranged under the two eftablifhed parties of Whig and Tory, yet in the lift of offices we find the names of individuals, who cannot, with ftrict propriety, come under either of thefe denominations. Such were the king's Dutch friends, with a few of the Englifh, who had reforted to him in Holland. In their political conduct, they were principally influenced by a perfonal attachment to the king, and fupported thofe meafures which were agreeable to his inclinations, and favourable to his authority. Though Keppel, Bentinck, Zulftein, Avaurquerque, had not any property or hereditary intereft among the Englifh, yet the fuperior confidence their mafter repofed in them, could not fail to attract refpect and attention from the members of both houfes; and to confer upon them a very confiderable degree of influence, in the adminiftration of national affairs. Thefe may be denominated the Dutch party, or the king's friends: They were firft connected with the whigs, becaufe the balance of court favour firft inclined to them; but they afterwards engaged in meafures oppofite to the fyftem and intereft of that party, from a perfonal attachment to the king.

There were alfo, in the lifts of office, fome perfons concerned in the moft obnoxious meafures of the two preceding reigns, who never had formed any connexion with the tories, or who had deferted them, and contributed, by effential fervices, to the accomplifhment of the revolution. The marquis of Carmarthen had efcaped from impeachment in the reign of Charles the Second, by an interpofition of the prerogative, which was confidered as an aggravation of his guilt. The marquis of Halifax had become unpopular, from oppofing the bill of exclufion; and was fufpected of giving advice to the king, to difcontinue the ufe of parliaments. Both of them had correfponded with the prince of Orange; and the marquis of Halifax had the undifputed merit

of

of persuading the lords to depart from their favourite scheme of the regency, which so long obstructed the settlement of the nation. While the promotion of these noblemen was considered in an invidious light by the whigs, it was not approved of by the tories[3].

The whigs held the greatest proportion of offices in the new arrangements. The early commencement of their services, and their zeal to accomplish such a settlement of affairs as coincided with the wishes of the prince of Orange, justly entitled them to a preference in the administration. The high promotion of the earl of Nottingham, who headed the tories, announced to the nation, that it was not the purpose of the king to proscribe any party, or decline the services of any individual, qualified for public trust, and willing to acknowledge his authority. But such an impartial distribution of offices, while it prevented more violent discontents, was at the same time productive of great political inconveniences. Persons associated in administration, and placed in responsible offices, being alienated from one another by former animosities, and actuated by incompatible interests, entered not into any previous concert about measures of government; and often differed publicly in opinion, when these were brought under discussion. Hence arose procrastination, inconsistency, and feebleness in the executive branches of government. A concise detail of the most important debates and resolutions of the convention parliament, will convey to the reader the most authentic information concerning the views, the struggles, and the success of different

[3] It was not till after the dissolution of the first parliament of William, that the marquis of Halifax connected himself with the tories. The whigs, desirous to confound, with the rival faction, every person whose political conduct was unpopular in the preceding reigns, made unwearied attacks upon the marquis of Halifax; compelled him to retire from office, and afterwards to throw himself into the arms of their antagonists, though he had been the most successful champion in opposing the regency, desired by the tories, and in obtaining the settlement of the crown upon William, agreeably to the inclination of the whigs.

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parties; and the immediate effects produced by the revolution upon the revenue, laws, and constitution, of England [+].

King's speech in the convention parliament, 18th February.

The king, in his speech from the throne, after thanking both houses for the confidence reposed in him, acquainted them, that the condition of his allies abroad, and particularly that of Holland, was such, that, without some speedy care, they would run great hazard: That the posture of affairs in England required also their serious consideration; and that a good settlement at home was necessary, not only for their own peace, but for the support of the protestant interest: That the state of Ireland was such, that the dangers were grown too great to be obviated by slow methods: The most effectual ways to prevent these inconveniences, and to bring about these important ends, he left to them.

Though the condition of the allies stood first in the king's speech, yet a good settlement at home was recommended as the most effectual method, both to advance their interest, and to maintain peace in England; and therefore engaged the consideration of both houses, in preference to every other subject. By a settlement at home, his majesty was understood to refer to the establishment of a revenue, in order to enable him to defend his title to the throne, and to fulfil those engagements to his allies, into which he had entered from motives of gratitude and public interest. This suggested the necessity of turning the convention into a parliament; the only constitutional method of supplying the demands of the crown. A bill for this purpose was introduced in the house of lords, read

Reasons for turning the convention into a parliament.

[+] The convention parliament continued for two sessions: Upon the 20th August, 1689, it was adjourned to the 20th September, and afterwards to the 19th October. It was then prorogued to the 30th, when it entered upon business, and continued, without interruption, to the 27th January 1690.

The reader will please observe, that, in giving an account of the business transacted in this parliament, I have followed such an arrangement as seemed most proper to convey distinct ideas of the subject. Such a period sometimes intervened between the commencement and conclusion of the same bills, and different measures were so much coincident, and sometimes interwoven, that it was impossible to observe the strict chronological order without obscurity.

twice

twice in one day, and fent to the lower houfe[5]; where it was evident the fpirit of party, as much as the force of argument, influenced the opinion of members.

It was afferted by thofe who oppofed this bill, that the king's writ of fummons was effential to give exiftence to a parliament; that the want of this qualification would expofe all their future proceedings to be challenged as void and illegal; that the king himfelf could have no fecurity for retaining the poffeffion of the crown, but by a confirmation of the fettlement made by the convention, in a parliament, affembled with a ftrict adherence to every form eftablifhed by law and cuftom[6].

By thofe who defended the bill it was argued, that, confidering how far the convention had departed from common forms, in order to bring the public bufinefs, and the fettlement of the nation, to the point at which they ftood, the fcruples now pretended appeared frivolous and unfeafonable, and certainly did not proceed from any cordial favour to the new government. If neceffity was an apology for the irregularities to which they had already yielded, the fame neceffity ftill exifted. The interruption of public bufinefs till the meeting of a new parliament, by affording a favourable opportunity for renewing intrigues and exciting animofities, might undo all thofe meafures, in the accomplifhing of which, fo much labour and time had been fpent. The ardour of the patriot might cool, if not cherifhed by fome near object of purfuit; the combined influence of James and of France might change the complexion of the national reprefentatives, and ftop the progrefs of political reformation; and though thefe caufes might not prevail fo far as to overturn the new fettlement, yet they would certainly poftpone and diminifh the benefits arifing from it[7]. Thefe arguments, enforced by precedents in feafons of like emergency, preponderated with a majority of the

Bill paffes for that purpofe.

[5] Journ. Lords, 18th, 19th February.
[6] Grey's Debates, vol. ix. p. 89.
[7] Warrington's Works, p. 509.

 commons,

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commons, and their consent was obtained to the bill for turning the convention into a parliament [8].

Observations with respect to the revenue.

The most salutary change in the constitution of England at the revolution, was effected by the regulations which the commons adopted with respect to the state and management of the public revenue. The connexion between the public revenue and the temper of government, must appear an important and instructive fact, to every one who carefully peruses the history of England. Though, at an early period, the kings of England possessed a large independent revenue, arising from patrimonial demesnes, taxations, and servitudes, yet these were far from being adequate to the extraordinary expences which occurred almost in every reign. The prodigality of a court, internal convulsions, and foreign war, had often compelled the prince to own his dependence, and solicit the bounty of his subjects. The solicitations of the prince reminded the people of their own importance. Their discontents, hitherto propagated in timid whispers, assumed the bold strain of complaint and remonstrance, and dared to approach the throne of the suppliant monarch. Hence the redress of grievances came to be the stated price of liberality to the prince, and the people wisely calculated, that any inconvenience, arising from the present diminution of their property, was abundantly compensated, by their obtaining such laws and regulations as contributed to its future security and increase [9].

Recent experience recommended the utmost caution in the disposal of the revenue. The depression of their own influence, the open violation of the laws, an accumulation of grievances, against which they had not an opportunity to remonstrate while parliaments were laid aside, were mortifying evidences of the pernicious effects of their rash and irrevocable generosity to the late prince. "We may date our misery to our bounty," said a member of the house of commons. "If king Charles had not had that bounty

[8] Journ. Commons, 19th, 20th February.

[9] See Appendix I.

"from you, he never would have attempted the things he has "done."—"I remember," ſaid another, "when above an hundred "thouſand pounds was given for building of ſhips, and not one "was built; and above two hundred thouſand pounds, granted to "ſupport the triple league, was employed for breaking it[10]."

The reformation of the revenue, from theſe conſiderations, appeared the capital point to which the attention of every true patriot ought to be directed; and which, if it was once compaſſed, would enſure the redreſs of every remaining grievance, and the progreſſive improvement of the conſtitution. The moſt perfect political ſagacity could not foreſee what abuſes or grievances might ariſe at any future period, but theſe could be only tranſient, if the revenue was ſubjected to ſuch periodical expirations, as muſt neceſſarily render the prince dependent upon the gratitude and generoſity of his people. As the foundation of this ſyſtem, it became expedient that the convention ſhould explain the preciſe extent of the generoſity they had already exerciſed towards the king, by putting the crown upon his head. Some of his majeſty's friends were of opinion, that the act of ſettlement conveyed the full poſſeſſion and uncontrolled diſpoſal of the revenue annexed to the crown, at the period of king James's abdication; and it was natural to ſuppoſe, that the king himſelf liſtened with partiality to this opinion[11]. When it was moved in the houſe of commons, that the revenue had expired with the abdication of king James, great addreſs was uſed to treat the queſtion as a point of law, and to exclude thoſe arguments of expediency, which could not fail to incline many of the members to approve of the motion, if it had been fairly open to dicuſſion. Theſe perſons contended, that the revenue which had been conferred upon the late king, became the inherent right of the crown, and attached to his ſucceſſor, without any new interference, or confirmation by parliament. Others, who profeſſed an equal reſpect to the authority of law, advanced an

Opinions concerning the king's right to the revenue.

[10] Grey's Debates, vol. ix. p. 125. [11] Ibid. p. 109. 114.

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opinion which rendered the royal income precarious, but not in the ſame degree dependent as if it had now expired, or been beſtowed for a ſhort or definite period. They maintained, that the revenue was ſubjected to the ſame regulations with private property; that having been granted to James, for the purpoſe of governing during his life, it could not be alienated from that purpoſe, or follow him after he had deſerted his public truſt; but that, while he lived, it belonged to the perſon ſubſtituted in his official ſtate. Upon the event of the death of James, they acknowledged that the revenue would revert to the commons, and might then be regulated, both with reſpect to quantity and duration, as the circumſtances and intereſts of the nation required[12].

Former abuſes in the management of the revenue.

The motives for diſſenting from theſe opinions did not ariſe, merely, from the apprehenſion of diſtant or imaginary abuſes of a revenue exempted from the control of the people. An inquiry, inſtituted by the commons into the ſtate of the revenue, and abuſes in the expenditure of public money, led to diſcoveries which left it no longer doubtful, from what ſources the former oppreſſions of the nation had flowed; and demonſtrated the neceſſity of the moſt cautious and reſtricted modifications of the ſupplies. Immenſe ſums of the public money had been waſted in the proſecution of grievous ſuits, in behalf of the crown againſt the ſubject. Forty-ſeven thouſand eight hundred and eighty-four pounds had been paid by the privy ſeal to Burton and Graham, who had been employed as agents for the crown in theſe infamous ſuits[13]. One hundred thouſand pounds had been placed to the article of ſecret ſervices, in the courſe of the laſt ten years, a period in which the nation had enjoyed uninterrupted peace.

Reſolutions with reſpect to it.

After various debates, the commons found that the revenue had expired[14]; and afterwards agreed, that four hundred

[12] Grey's Debates, vol. ix. p. 109. 114.

[13] Journ. Commons, 22d February.

[14] This they did in effect, by voting that all thoſe branches of the revenue, which were due in the reigns of Charles and James, ſhould be collected for the uſe and ſervice of the crown, until the 24th June 1689; as by law they might have been during either of thoſe reigns, with a clauſe to indemnify all ſuch as had collected any part of the aforeſaid branches ſince the 5th November 1688.

and

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and twenty thousand pounds should be given to his majesty, by a monthly assessment, to supply the present exigencies of government.

Merit of the whigs in these.

The merit of this important resolution, and the subsequent regulations of separating the civil list from the extraordinary demands of government, of appropriating the supplies, and of reviewing the application of them, are to be ascribed principally to the whigs [15]. The tories boasted of their opposition to these resolutions, in order to supplant their antagonists; and to insinuate themselves into the good graces of the king. William was deeply mortified with the dependence to which he was subjected, and his affections began to be estranged from a party, who appeared to have laid down a plan, to revoke or impair that dignity which their own hands had created.

Vote of the commons for indemnifying the States.

A spirit of parsimony less justifiable, displayed itself in the vote of the commons, with respect to the indemnification of the Dutch, for the expences they had incurred in equipping the fleet, and providing other necessaries for the prince's expedition to England. This subject had been recommended to the commons by his majesty, in his first speech after his acceptance of the crown. The delay or neglect of business, materially connected with his own honour and the gratitude of the nation, gave him sensible uneasiness; and he embraced the first opportunity, in answer to an address of both houses, again to recommend the States, in terms of the most pressing anxiety, to the protection and gratitude of his parliament [16]. The final resolutions of the commons, extorted by importunity, seemed to violate the strict laws of justice and delicacy, as the indemnification granted fell short of the sum which had been expended by the Dutch [17]. Nor were funds appropriated for the purpose of discharging this debt, till after long delay and renewed entreaties from the king. And

[15] Compare speeches of whigs and tories, Grey, vol. ix. p. 121.

[16] Journ. Commons, 8th March.

[17] The sum voted by parliament fell 63,752 l. short of the account of expences given in by the States. It is asserted by a tory author, that the Dutch were overpaid, in the proportion of 400,000 l. price of abdication. Somers' Collection, vol. xi.

finally,

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finally, when the ſpeaker preſented the bill for this purpoſe to his majeſty, he mentioned the ancient obligations of the States to England, in having obtained, by her gratuitous interpoſition, a deliverance no leſs ſignal, than that which England now acknowledged, by a remuneration of expences[18]. Theſe circumſtances diſcover the early commencement of that jealouſy of the Dutch, which daily increaſed through this reign, and embittered the life of the king: while it certainly reflected no credit, either on the politeneſs or gratitude of the Engliſh.

Oaths to government.

The degeneracy of the conſtitution, and the encroachments made upon the liberty of the ſubject, during the two preceding reigns, were in no point of view more conſpicuous, than in the abuſes and alteration of thoſe ſolemn religious ſanctions, intended to bind more firmly upon the king and his ſubjects, the reciprocal duties of protection and allegiance. The coronation oath had been ſo changed as to weaken the idea of conditional and dependent authority, and to remove the moſt ſolemn reſtraint upon the conſcience of an arbitrary monarch[19]. As the coronation oath was adminiſtered only once at the commencement of a reign, when the people in general are diſſipated with public rejoicings, any alteration in the form or expreſſion of that oath may be ſuppoſed, more readily to have eſcaped their obſervation and cenſure. The corporation oath, as it more frequently occurred, ſo it more expreſsly reminded them of the growth and uſurpation of regal power. All the members of corporations were bound, by the moſt ſolemn obligation, not to take up arms againſt the king, or thoſe who were commiſſioned by him. Thus the ſubject loſt at every hand. The oath taken by James did not engage

[18] Tindal, vol. i. p. 384.

[19] Ibid. vol. i. p. 170. The ancient coronation oath was more full and explicit: the king was bound by it, not only to maintain the laws and protect the rights of his ſubjects, but to aboliſh pernicious laws and cuſtoms. See a copy of the coronation oath, printed in the reign of Edward VI. Blackſtone's Commentaries, book i. chap. vi. The following words are particularly worthy of attention:—"Et a ſoun poiair lez face garder "et affermer que lez gentez du people avont "faitez et eſliez, *et les malveys leyz et cuſtumes* "*de tout ouſtera.*"

his

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his conſcience in ſupport of the claims of the people, while his ſubjects were conſtrained to reſign all offices of truſt and emolument; unleſs they bound themſelves to ſubmit to every inferior delegation of tyranny.

Motions for altering them.

If the protection and ſecurity of the ſubject had been conſidered in the moſt liberal view, it is not eaſy to imagine, how any diſpute ſhould have ariſen in either houſe, about the wording of the coronation oath; but even here the jealouſy of party interfered. William was a friend to religious liberty, not merely from political conſiderations, but from thoſe arguments which demonſtrate the wiſdom and juſtice of admitting it, in every ſtate of government and ſociety. This object he purſued through the whole courſe of his life with inflexible and ardent perſeverance [20]. The recent danger, in which proteſtants of every denomination had been aſſociated at the period of William's acceſſion, preſented the moſt favourable opportunity of gratifying the ſtrong propenſity of his mind, by obtaining ſuch alterations in the laws, as might render the eſtabliſhed church more comprehenſive than it had hitherto been, the diſtribution of civil employments impartial, and the indulgence of diſſenters as liberal, as appeared to be conſiſtent with the ſafety of government. When the queſtion of the coronation oath was introduced in the houſe of commons, it was moved by Mr. Hampden, that the clauſe which obliged the king to maintain the church of England, ſhould be expreſſed, and qualified by ſuch terms, as that it might not prevent his conſenting to any alteration in forms and ceremonies approved of by parliament [21]. It was evident, that ſuch a modification of the coronation oath was no leſs favourable to the power of parliament, than it was to the inclinations of the king, while it provided the means of removing thoſe ſcruples, which divided and weakened the proteſtant intereſt at home. In vain it was urged, that the doctrines of faith, founded upon divine authority, conſtituted the eſſential

[20] See Appendix II.

[21] Journ. Commons, 25th, 28th March.

part

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part of christianity, which could admit of no alteration, and with respect to which it was agreed, that no latitude ought to be granted; that ceremonies, the invention of men, and accommodated to mutable and external circumstances, not only involved the idea of fallibility, but implied the necessity of future alterations[22]. The friends of the church of England and the tories were alarmed. Those, who were secretly disaffected to the king, were happy to thwart him in a favourite point. The original, unlimited expressions of the coronation oath, were adopted by both houses[23], and excited a dismal foreboding of the issue of every future attempt for the extension of religious liberty.

For exempting protestant dissenters from the test

In consistency with this zeal for the established church, the commons resolved to maintain the same restrictions, in the new modelling of the different oaths to be imposed upon the subject. The tests required of persons who were to be admitted into public offices previous to the revolution, had respect both to their political, and religious principles; the first were ascertained by the oaths of allegiance and supremacy, the second by obedience to the test, or receiving the sacrament according to the usage of the church of England. All parties had agreed, that an alteration was requisite in the criterion of political faith. The oath, as it stood, not only bound the subject by fidelity and allegiance to the reigning prince, but exacted an opinion with respect to his exclusive title to the crown, by acknowledging him as rightful and lawful king. It was resolved, therefore, to omit this clause in the oath, which related to the quality or basis of the royal authority, now more than ever liable to be controverted, and to retain a simple engagement to faith and allegiance. The oath of supremacy, established in the reign of Elizabeth, had long been considered as a national grievance, and all parties, who had co-operated in the revolution, were virtually pledged to abolish it. The only remaining topic of dispute referred

[22] Grey's Debates, vol. ix. p. 190. 200. [23] Journ. Lords and Commons, 6th and 9th April.

to

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to the religious qualifications of the persons who were to be admitted into office, namely, whether they ſhould be ſubjected to the teſt? In this queſtion the king had publicly taken a ſide, and, in a ſpeech to both houſes, had expreſſed his deſire, that, in ſettling the oaths, room might be left for the admiſſion of all proteſtants who were able and willing to ſerve him. In conformity to his deſire, a clauſe was introduced during the dependence of this bill in the houſe of lords, to take away the neceſſity of receiving the ſacrament according to the form of the church of England, as a qualification for enjoying any office of government[24]. This clauſe was rejected, under the pretext of zeal againſt the Roman catholics, who, it was aſſerted, could not be diſtinguiſhed from proteſtants, or prevented from intruding into offices, by any other method than a ſpecific and ſolemn expreſſion of their conformity to the eſtabliſhed church. The conduct of thoſe who oppoſed the bill might, in this view, have been aſcribed to motives of cautious policy, if an amendment, which obviated the difficulty, had not met with the ſame unfavourable treatment. It was propoſed, that every perſon ſhould be qualified for public office, who, within a year before or after his admiſſion to it, received the ſacrament, either in the church of England, or in any other proteſtant congregation. But this amendment, as well as the previous clauſe, was rejected by a great majority of the lords[25].

Unſucceſsful.

Indulgence in favour of the clergy.

Compliance with a peculiar indulgence, propoſed in behalf of the clergy, made it evident, that a predominant partiality to the church, rather than any motive of policy, influenced the reſolutions of the lords with reſpect to the new oaths. The reception William met with from the dignified clergy, after his arrival in England, by no means correſponded with that early and ſpirited reſiſtance to arbitrary power, which began the work of the revolution, and encouraged thoſe bold meaſures which brought it to a concluſion. Few of

[24] Journ. Lords, 21ſt March.

[25] Ibid. 23d March.

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the clergy of distinguished rank approved of the new settlement; most of the bishops discontinued attendance in parliament: archbishop Sancroft declined officiating at the coronation. From such expressions of their sentiments and temper, there was reason to believe, that the new oaths would be as little acceptable to them, as the test was to the dissenters. The king was anxious to avoid proceeding to extremes against a body of men whose character attracted reverence, and whose cause was ignorantly blended with the cause of religion. Gratitude seemed to justify a singular, and even perilous indulgence to those who had laid the foundations of the revolution, though they were afterwards inclined to retard and mar its superstructure. Time and forbearance might remove scruples which rendered them so backward to acknowledge the authority of the king, and reconcile them to those measures of union with their dissenting brethren which he so passionately desired. From a regard to these considerations the lords agreed to a clause in the bill, which, instead of obliging the clergy to take the oaths under the penalties of law, left it to the discretion of the king to tender them or not, as he judged expedient[16].

Agreed to by the lords.

Refused by the commons.

When the bill was sent to the commons, the very considerations which moved the lords to show peculiar favour to the clergy, were converted into arguments for withholding their assent to it. To give liberty to persons of superior station and influence to conspire against government, without any restraint from conscience, was represented to be a species of policy, infatuated rather than lenient. If no dangers were to be apprehended, from the immediate agency of those who were favoured by this indulgence, yet their example in declining to take the oaths, might produce the most pernicious effects, by exciting scruples in the minds of the laity, and spreading disaffection to government[17]. The lords demanded a conference with the com-

[16] Journ. Lords, 22d April. Tindal, vol. i. p. 183.

[17] Grey's Debates, vol. ix. p. 258. Journ. Commons, 20th, 22d April.

 mons

mons upon their rejecting this bill, but finding them irreconcilable to it, were content to obtain a conceſſion, which afforded the king an opportunity of mixing mercy with judgment. He was empowered to reſerve, for any twelve clergymen who ſhould be deprived for refuſing the oaths, a third part of their benefices during his pleaſure. With this amendment the bill for the oaths and teſts paſſed both houſes, and obtained the royal aſſent.

24th April.

Bill of comprehenſion.

Nothing more ſtrongly evinces the deſire of William to aboliſh religious and political diſtinctions, than the variety of meaſures he deviſed, in order to accompliſh that end, and his perſeverance in proſecution of them, notwithſtanding the frequent repulſes and defeats he experienced. Diſappointed in his plan of raiſing proteſtant diſſenters to a capacity of civil employment, his only hope was to enlarge the pale of the church, and to obtain ſuch moderate and rational conceſſions from her, as might ſubdue the ſcruples of the diſſenters, and allure them into her boſom. For this purpoſe a bill of union and comprehenſion was introduced in the houſe of lords, formed upon the model of that which had been propoſed to allay the heats of parties during the dependence of the bill of excluſion [23]. The principle of this meaſure was ſo rational and liberal, that its enemies durſt not hazard any attack or objection againſt it, upon the foot of argument. A preliminary queſtion however exiſted, before any progreſs could be made in this bill, and involved difficulties, which afforded but unpromiſing hopes of its ſucceſs. Who were the judges competent to ſpecify thoſe conceſſions, which might prudently and ſafely be offered upon the part of the eſtabliſhed church, for the purpoſe of reconciling and uniting the diſſenters? An excluſion of the laity was invidious, and not only deviated from the precedents eſtabliſhed by the reformation, but ſtruck at the foundation of the proteſtant religion, which appealed to the underſtanding of mankind at large, as qualified to decide concerning the doctrines

[23] Burnet. Journ. Lords, 11th March.

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of faith. Nor were the clergy, if the business was committed solely to them, wedded to the faith and ceremonies of the established church, likely to consent to any liberal and effectual plan of union. Jealous of the favour of the king, many of them waited the result of this bill with a suspicious vigilance; and it was believed, that they would not have been dissatisfied, if any innovation upon forms, or any encroachment upon their authority, had furnished a pretext for making a schism in the church. Indulgent to their prejudices, the lords agreed, that the clergy alone should judge of those articles which were to be proposed as a basis of union with dissenters[29].

Favoured by the lords.

The very day the bill was sent to the commons, they resolved upon an address to the king, to be drawn up in terms which anticipated the discussion of its merits, and spread an alarm of the danger of the church. They thanked his majesty for his repeated assurances that he would maintain the church of England; and humbly prayed, that, according to the ancient practice of the kingdom, he would be pleased to summon a convocation of the clergy, to be advised with in ecclesiastical matters[30].

Thwarted by the commons.

Causes of the ill success of this bill.

It is to be regretted by all the friends of liberty, that a variety of causes contributed to disappoint those liberal plans of religious union, at a period, when the recent sympathy and united services of all his protestant subjects, as well as the strong desire of the king, furnished additional arguments for carrying them into execution. The tories in administration, though professing to approve of those schemes for the extension of liberty, yet, as they were not friends to toleration in their hearts, they did not support them with those strenuous efforts which might have ensured their success; and it was even suspected

[29] Burnet. Journ. Lords, 4th April.

[30] Journ. Commons, 9th and 13th April. In compliance with this address, the king called a convocation, which met next session of parliament, on 21st November 1689. But, in their debates upon the address, and other preliminary subjects, the lower house discovered such a spirit of bigotry, and such asperity towards dissenters, as made it evident that they never intended to promote any plan of union with them. Burnet.

that

that they counteracted them by secret influence, while the whigs, disappointed in their scheme of engrossing administration, embraced every opportunity to shew their strength, and express their resentment against the king, by defeating such measures as proceeded from his personal inclination, however agreeable to the general tenor of their own principles [31]. It is likewise to be observed, that the enemies to the scheme of comprehension derived additional influence, from the divisions which subsisted among the dissenters themselves. Independents, anabaptists, and more rigid presbyterians, aware that they could not come into the church upon any concessions which either parliament or the convocation were likely to vouchsafe, beheld, with an unfriendly eye, the progress of measures calculated to rend and weaken their body; and to improve the condition of others, who were now involved in the same inconveniences [32]. These circumstances may explain, but can never vindicate, the narrow policy of the commons, in rejecting the alterations in the corporation act, and opposing the scheme of comprehension.

Act of toleration.

All parties, however, had acknowledged that somewhat in the way of favour was due to protestant dissenters. The persecution they had suffered, during the reign of Charles the Second, furnished the

[31] Ralph, vol. ii. p. 72.

[32] From a report concerning the proportion of the different religious sects after the revolution, it appears, that conformists were to nonconformists, as 22¾ to one; conformists to papists, as 178$\frac{10}{11}$; and protestants to papists, as 186$\frac{1}{3}$. Dalrymple, part ii. p. 12.

Such disproportion between the number of protestant dissenters and the members of the church, hardly appears consistent with the great influence of the former in corporations, before the surrender of charters, and the attention paid to them by king James. This is the more remarkable, as it is observed in the above report, ibid. p. 14. that, in some of the towns, the foreign protestants, chiefly, make up the number of dissenters. It is not unreasonable to suppose, that the persons who were employed to make the calculations were interested for the church, and by no means inclined to diminish the number of its adherents; and, as the king was anxious for extending indulgence, they might perhaps under-rate the consequence of those who were the objects of it. Some of the northern counties, which contained a great proportion of dissenters, seem to have been omitted in this calculation. In drawing up the lists which were to found the reports, dissenters of subordinate station would often be arranged under the religion of the family to which they belonged. Many families of dissenters, in obscure condition, were probably altogether overlooked; and others who conformed occasionally, would be accounted complete conformists.

friends

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friends of the revolution with some of the strongest objections to arbitrary government. Their final rejection of the insidious indulgences proffered by James; their meritorious services in co-operating with the church in the work of the revolution, entitled them to participate of the fruits and blessings of that glorious event. The force of these considerations so far prevailed upon both houses, as to obtain their assent to an act for repealing the penal laws to which the dissenters had been formerly subjected[33].

Bill of indemnity.

However severe the restrictions, still imposed upon dissenters, might appear, they had this advantage, that they were defined and notified; the persons to whom they referred knew what they had to hope or to fear; and might calculate with precision the loss to which they were subjected, by a rigid adherence to their religious principles. A long series of arbitrary measures, in the course of the two preceding reigns, had enlarged the lists of political delinquents, who now, with painful anxiety, waited the issue of a bill of indemnity; and as their numbers were considerable, and their connexions extensive, the question deeply affected the state of parties, and the interest of government.

As all revolutions of government proceed from real or imaginary oppressions, and are accomplished after struggles which heighten the animosities and resentments of contending parties; so, upon the commencement of a new government, the greatest prudence is requisite, in selecting the proper objects of honour and employment, or of disgrace and punishment. Though lenity may sometimes soften hardened and inveterate offenders, yet when exercised indiscriminately, it discourages the faithful, and removes one of the most

[33] Journ. Lords and Commons, 24th May. By this act the penal laws were abolished, so far as related to dissenters who took the oaths to the present government. Dissenters chosen to the offices of constable, churchwarden, &c. who scrupled to take the oaths required by law for such offices, were permitted to execute them by deputies. Dissenting preachers, who took the oaths to government, and subscribed the articles of the church of England, except the 34th, 35th, 36th, and part of the 20th, were exempted from the penalties mentioned in the several statutes of Charles the Second.

powerful

powerful checks upon the intrigues of ambitious men. It would have been unjuſt, as well as impolitic, to have conſigned to deſpair all thoſe perſons in England who had been, at a diſtance of time, or by ſecondary agency, ſtained with political iniquity. Many of them were, in the line of office, ſubjected to the orders of ſuperiors, and reſtrained from offering their opinion or advice, concerning thoſe meaſures in which they were compelled to act. Some of them teſtified their diſapprobation of deeds of violence which they had not power to prevent. Others had retired from office, ſtung with remorſe for the wrong ſteps into which they had been ſeduced; and had in ſome meaſure made an atonement to the public, by their zeal and activity in the great work of national deliverance. To explore the genuine motives of actions in a period of tumult and conteſt; to aſcertain preciſely the gradations of guilt, or the merit and demerit of individuals, and to draw the line of diſtinction; was a taſk attended with manifeſt danger to government, and unavoidably liable to great partiality and miſtake.

The king anxious for it.

The natural inclination, and ſound policy of the king, rendered him extremely anxious to obtain an indemnity upon a broad foundation, and in every view more liberal than what was approved of by thoſe, who were firſt attached to his intereſt. For this purpoſe he expreſſed his earneſt deſire, by a meſſage to both houſes of parliament, to obtain an act of general pardon and indemnity, that his people might be delivered from the reproach and penalties to which many of them were liable.

25th March.

The king's meſſage, according to form, was acknowledged with an addreſs of thanks; yet how little the commons were diſpoſed to comply with it, appears, both from the firſt ſteps with which they entered into the buſineſs, and the various diſputes and delays which retarded its progreſs. Upon the report of his majeſty's anſwer to their addreſs of thanks, they appointed a revival of the committee empowered to inquire into the authors and adviſers of grievances. A more

1ſt April.

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more untoward omen of the future fuccefs of the bill could not have occurred, for it was, in effect, collecting difficulties and obftructions, calculated to entangle and perplex them, in every ftep, towards the object of the king's recommendation. And accordingly we find, that the fame difficulties which embarraffed the houfe on the fourteenth of May, one thoufand fix hundred and eighty-nine, notwithftanding many intervening debates and refolutions, were recapitulated, without any diminution, on the twenty-fixth of January, one thoufand fix hundred and ninety [34].

Different plans of proceeding in this bill.

The moft important queftion which occurred in the courfe of the debates on the bill of indemnity, related to the plan of regulating the exceptions; or drawing the line of feparation between the objects of mercy and of punifhment. Whether was it moft expedient to begin with the exception of crimes, or of perfons? In the former cafe, it was propofed to defcribe fuch crimes as ought, defervedly, to exclude the perfons convicted of them from the benefit of the indemnity. It was eafy to forefee that this plan of proceeding, though recommended by the appearance of equity and impartiality, would be productive of fuch a variety of future difputes, and of fuch delays, as muft in a great meafure fruftrate the very purpofe of the bill. Confidering the various prejudices, interefts, and connexions of the members, of both houfes, it was not likely that they would be brought to adopt the fame ftandard of guilt, or to agree in fpecifying the crimes which were to be placed beyond the reach of mercy. But fuppofing this difficulty to be furmounted, and the houfe brought to an agreement with refpect to thofe crimes which were to be excepted, the moft deteftable confequences would afterwards enfue from the inveftigation of proof, and the application of guilt. Into what unpleafant difcoveries might thefe unwarily betray them? The bufinefs, conducted upon this plan, would become an engine, which every party by turns might employ for the gratification of their refent-

[34] Compare Journ. of Commons, and Grey's Debates, vol. ix. p. 244. 538.

ments,

ments, and the ruin of their enemies. Inftead of fetting the hearts of his majefty's fubjects at eafe, it would prolong the gloomy period of fufpence, propagate fufpicion, and multiply the odious badges of divifion. It was compared to failing in the wide ocean without a compafs; and to wandering in an immenfe foreft where no path was marked, to cheer the hope, and guide the fteps, of the bewildered traveller [35].

Such as were friends to the bill propofed, that the houfe fhould immediately proceed, to fpecify the names of the perfons who were to be excluded from the benefit of the indemnity. There was no occafion, it was obferved, to have recourfe to the more tedious procefs of conviction by proof. Some, like Cain, carried about with them prominent features of guilt and felf-condemnation. By excepting a few notorious offenders, public juftice would be fatisfied: minifters and their agents would be overawed, and the ftrength of all parties united, to repel the hoftilities of France, brought home to their very doors by the invafion of Ireland [36].

The whigs, jealous of the king.

The jealoufy of the whigs rendered them unwilling to gratify the king, by confenting to a meafure, calculated to increafe the number and influence of their competitors. They began to perceive, that it was neceffary to have better fecurity for maintaining their pre-eminence in power, than the merit of their political fyftem, or the priority of their connexion with the king. Contrary to his ge-

[35] Grey's Debates, vol. ix. Letter to a Member of Parliament. Somers' Collection.

[36] King James landed at Kinfale with about 5000 French troops, entered Dublin on the 7th May, and fummoned a meeting of parliament. For the account of the proceedings of this parliament, fee chap. xii.

Upon the arrival of James, moft of the proteftants and friends to the revolution retired to Londonderry, where they fuftained a fiege of three months, and exhibited examples of conduct, valour, and patient enduring of calamities, exceeded by nothing in the annals of ancient or modern nations. Admiral Herbert had the worft of an engagement with the French fleet off Bantry Bay, 30th April 1689; feveral merchant fhips were taken by the French. The army afterwards fent to Ireland, was very ill furnifhed with provifions and clothing; and moft of the regiments were deficient in their complement of men. Thefe misfortunes occafioned great murmuring in the nation, and were often introduced in both houfes of parliament. See Journ. Lords, 15th and 18th June. Journ. Commons, 11th and 16th November. Grey's Debates, vol. ix. p. 421. 441-6,7,8. 480.

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nerous purpose, they endeavoured to pervert the bill into an instrument of publishing guilt, of multiplying political disqualifications; and reducing the number of their rivals for power. Thus, instead of proceeding directly upon the bill, they called for the reports of the several committees appointed to inquire into public grievances. The strain of debates into which the consideration of these unavoidably led them, and the resolutions founded upon them, tended every day to augment the list of exceptions. They seemed desirous, not only to debar from a capacity of employment their antagonists, who were not yet invested with it; but, by reviving political questions, which had been the occasion of great disturbances in the preceding reigns, they hoped to accomplish the dismission and disgrace of some of those who held the principal places in the present administration [37]. No intercession or recommendation by the king, had any influence in moderating the temper of the commons, or promoting dispatch in this business, in which he was so deeply interested.

obstruct the bill.

Act of settlement.

The act of settlement, and the bill of rights, equally interesting to the king and the subject, came under the consideration of both houses, in the course of this session. No alteration or improvement was proposed, with respect to the bill of rights, the most important of these subjects; but, with regard to the act of settlement, amendments were suggested, which first opened to the illustrious house of Hanover a remote, and, as time has evinced, no illusive prospect of the crown of England. In the course of debates in the lower house, it was observed, that the safety of the protestant religion required a farther extension of the succession to the crown; and it was moved, that a clause should be introduced, to prevent the act of settlement from being hurtful to the interest of any protestant prince [38]. This amendment was rejected by the commons. When the bill was under the consideration of the lords, it was moved, that

[37] Journ. Commons, 29th May; 4th, 8th, 16th, and 18th June; 1st and 15th July. Grey's Debates, vol. ix. p. 244. 538.

[38] Ibid. p. 237.

the

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Motion for naming the duchess of Hanover in the succession.

the duchess of Hanover should be placed in the succession after the princess Anne[39]. To this the house agreed, but when the bill was returned to the commons, it occasioned a keen debate[40]; and was rejected by the conjunction of parties, who seldom coincided in the same measures. The tories with reluctance, and in compliance with necessity, had consented to a deviation from the direct line of succession; by establishing the right of the present king and queen, and of the princess Anne; but the nomination of the duchess of Hanover, passing by other families more nearly allied to the blood royal of England, was a sacrifice which they thought no expediency required; and which seemed to eraze the foundations of hereditary monarchy. With the rejection of this clause, such of the whigs, as leaned to republican principles, concurred, though they were moved to it by motives different from those which influenced the tories. The former were well pleased to believe, that by departing from the next successor, at the revolution, they had given a deep wound to monarchy; and reserved for their posterity the prospect of abolishing it, if the extinction of the families named in the bill should, in future time, render the succession ambiguous and controverted. The united influence of those two parties defeated all the arguments employed by the lords, in the course of different conferences, to persuade the commons to adopt their amendments[41]. After the birth of the duke of Glocester, the lords departed, without any sacrifice of dignity or consistency, from that clause which related to the duchess of Hanover; but by an amendment, which excluded papists from the suc-

27th July.

[39] Journ. Lords, 25th May.

[40] Grey's Debates, vol. ix. p. 345. 351.

[41] Lords' Debates, vol. i. p. 385, 6. Lord Rochester, notoriously attached to the hereditary succession, managed the conference in behalf of the lords, to persuade the commons to consent to the nomination of the duchess of Hanover in the bill of succession. He had fallen under the suspicion of the king, for the part he had acted during the interregnum: Clarendon's Diary, 30th May 1690. He was anxious to recover the king's favour, by his zeal for a measure which was so much desired by him. It is worthy of observation, that, in this and other instances, the tories, both as individuals and as a party, whatever their private inclinations were, eminently contributed to promote the Hanoverian succession.

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cession, the prospect and claims of her family to the crown of England were promoted; and with this amendment the bill passed both houses, and obtained the royal assent.

Effects of the motion.

The introduction of the house of Hanover in the line of succession to the crown of England, may justly be considered, on account of its near and remote consequences, as one of the most memorable events which occurs in the history of this reign. By this measure, the duke of Hanover was separated from the interest of France, to which he had formerly adhered, and the strength of the grand alliance was augmented. England engaged in foreign wars with an eagerness she never could have felt, and carried her interference in foreign politics to an excess, into which she never could have run, if she had not first anticipated, and afterwards experienced the influence of this intimate connexion with a continental prince. By the prospect and contingency of the Hanoverian succession, a new influence was introduced into the political system of England, which powerfully operated upon the temper, the conduct, and the interest, of every party. Estimating their security from popery as the first national blessing, the people clung with fond attachment to the succession of a family distinguished by their zeal for the protestant faith. The tendency of public measures to promote, or obstruct the act of settlement, was the standard which regulated popular opinion, and marked out for praise or censure the persons to whom they were ascribed. To this standard, whigs and tories, in opposition or in power, made the appeal for the purity of their intentions; and, in both situations, were instrumental in contriving measures which strengthened the act of settlement. But, as such measures were known to be consonant to the principles of the whigs, and inconsistent with the prejudices of the tories, the former gained credit and popularity, while the latter only blunted the edge of opposition, by their endeavours for maintaining the protestant succession. Upon the same grounds, the whigs acquired the confidence of the family, which

which entertained so near a prospect of the throne; and this circumstance encouraged their activity, increased their influence, and secured to them unrivalled superiority under the reign of the first princes of the house of Hanover.

Measures of parliament adopted to extraordinary events.

The subjects, which have been already treated in this chapter, came under the consideration of parliament, according to design and expectation; and were essential and connected parts of the political system, suggested by the situation of the kingdom, and the condition and interest of parties, at the revolution. There were extraordinary and unforeseen occurrences, which demanded the immediate and serious deliberation of the national council, and produced important and permanent effects upon the political state of England.

The new government had not long existed, when events of a threatening nature endangered its stability. Several persons of distinction were apprehended, upon the strong presumption of their having entered into a conspiracy, to replace James upon the throne. A mutinous disposition had appeared in the army: One regiment resisted the king's orders to embark for Holland; and pursued their march towards Scotland, expecting to be joined by others, equally disaffected [42].

The king found himself particularly embarrassed, with respect to the proper methods of proceeding against the persons apprehended under the suspicion of conspiracy. If he should set them at liberty, his personal safety, and that of the government, must be exposed to extreme danger; and should he either detain them in prison, or exact excessive bail, he must incur the censure of breaking the laws he came to defend. He acted with as much prudence as circumstances would admit; and, by a message to both houses of parliament, referred himself entirely to their advice and direction. The house of lords agreed upon an address of thanks to his majesty, for taking into custody suspected persons. A bill was brought into the house of com-

1st March.

[42] Kennet, vol. iii.

mons,

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The habeas corpus suspended.

mons, for suspending the habeas corpus for the space of three months, and quickly passed through both houses. Though this measure was constrained by the most glaring necessity, yet it did not escape the severest censure; and the king was represented as having already, in the course of a few months, affected a deeper encroachment upon the liberty of the subject, than what had been attempted either by Charles or by James[43].

The mutiny bill.

The disaffection of the army was the cause of introducing a more memorable innovation into the constitution of England. The excellence of the criminal laws of England arises from this circumstance, that, while they are sufficiently vigorous for the protection of the state, and of the rights of individuals, excess of punishment is prevented, and the established forms of trials are so fair and deliberate, that they can hardly be wrested to the destruction of the innocent, or the gratification of despotic resentment. Where no force is likely to interfere, by obstructing justice, and disturbing the order of government, small inconvenience can arise from the delay of punishment, till every circumstance is investigated, to remove even the shadow of doubt, concerning the guilt of the person upon whom it must fall. But, with respect to crimes which proceed from collective bodies of men, the public safety requires a more compendious procedure, and more severe punishment. The multitude of offenders emboldens the profligate, and produces the most outrageous and extensive mischiefs. This observation may be applied, with still greater propriety, to a class of men, who are placed in a situation, which renders their attachment to one another more firm, their combinations more easy and imperceptible, and their power more active and formidable, than that of any other rank, or body of citizens. Disaffection in an army, if it does not meet with an immediate check, must inevitably overpower all resistance, and subvert the constitution. Such are the principles which justify the in-

[43] Burnet.

stitution

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ſtitution of martial law, and that harſh, though perhaps neceſſary diſcrimination between the military body and the civil members of the ſtate, introduced by the mutiny bill[44]. Such however is the jealouſy of the legiſlature for the preſervation of the conſtitution, that as the mutiny bill was at firſt a conceſſion to neceſſity, ſo the ſame neceſſity, though not actually exiſting, is ſtill ſuppoſed, upon every renewal of it, and its duration limited to one year.

Supplies for Ireland.

The adherence of Ireland to the intereſt of James, ſupported by the aſſiſtance of France, called for extraordinary ſupplies; which, however, were granted, with ſuch limitations as were extremely mortifying to the king; while delay, miſmanagement, and ill ſucceſs, in that quarter, afforded the diſcontented inexhauſtible topics of complaint and accuſation againſt thoſe whom his majeſty had intruſted with the direction of public affairs[45].

View of the regulations of the revenue.

The regulations adopted by this parliament, with reſpect to the finances, deſerve to be remembered with gratitude and praiſe. They retrenched the redundancy, and aboliſhed the independence of the revenue, which had proved both a temptation and a ſcreen to tyranny, in the late reign. They calculated the expences of the military and naval eſtabliſhments, in the time of peace, and modified the ſupplies in proportion to them. They ſeparated the civil liſt from the extraordinary articles of expence, and reduced the firſt of them conſiderably below what had been enjoyed by king James. To inculcate œconomy and fidelity in the future management of the revenue, they ordered proſecutions to be carried on againſt thoſe who had been found guilty of abuſe and peculation[46].

Severe laws with reſpect to the Roman catholics.

The difficult eſcape of the nation from popery, and the dread of conſpiracies, may be conſidered as an apology for many reſolutions and acts againſt the Roman catholics, which favoured too much of a revengeful and perſecuting ſpirit. It muſt ſtill be deeply lamented,

[44] Blackſtone, vol. i. p. 414.
[45] Journ. Commons, June and July, paſſim.
[46] Journ. Commons, paſſim.

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mented, that narrow views of religion, or circumſtances ſingularly perilous, ſhould have thrown ſhades upon a period of hiſtory ſo brilliant, and ſo delightful to the liberal mind. To the honour of king William it ought to be mentioned, that he exerted his utmoſt influence to repreſs this violent temper [47]; and even, at the hazard of loſing his popularity, refuſed to execute ſeverities againſt Roman catholics, urged by the parliament.

Oppreſſions inveſtigated.

Agreeably to the reports of their committees, the commons inveſtigated the moſt notorious grievances and abuſes, in the two preceding reigns. They entered into a minute examination of the agents and judges, who were inſtrumental in arbitrary meaſures, and illegal ſentences. Reſolutions of cenſure were paſſed againſt ſome; others were committed to priſon, and proſecutions were inſtituted, in order to bring them to condign puniſhment. Arbitrary ſentences were reverſed, illegal attainders repealed, exorbitant fines remitted, and compenſations were made to the families of thoſe who had ſuffered the extreme effects of arbitrary malice [48].

Redreſſed.

Reflections.

The reader, who wiſhes to be fully informed of the ſtate of the nation during the two preceding reigns, and of that weight of oppreſſion with which it was overwhelmed, ought carefully to peruſe, not only the reports of the committee of grievances, but the petitions repreſenting to parliament the ſufferings of individuals, occaſioned by the unwarrantable proceedings and cruel ſentences of the courts of law. Subornation of witneſſes, packing of juries, the debarring the accuſed from the means of defence, the overbearing menaces of judges, the elaborate perverſion of evidence, a ſavage ſporting with calamity, exorbitant fines, cruel and arbitrary ſentences, the ſevereſt penalties of law inflicted upon ſcanty proof, to gratify

[47] Appendix II.

[48] Journ. Lords and Commons, paſſim, particularly 25th February, 15th and 16th March, 1ſt April; 22d, 23d and 29th May. The attainders of lord Ruſſel, Algernon Sydney, Corniſh, and Alicia Lyſle, were reverſed: Oates was diſcharged from priſon, and a penſion ſettled upon him.

the pique or resentment of a tyrannical prince[49]; these convey to the mind a more precise and affecting conception of national misery, than what is excited by speculating upon the consequences of new claims of prerogative, and the unconstitutional religion of the prince. It is unnecessary to attend to apologies for the neglect of forms, in order to vindicate the expediency of the revolution. Feeling quickly and powerfully persuades; we feel anew that irresistible necessity, which constrained all parties and orders of men, to seek for refuge and deliverance by whatever means it could be obtained. Indignation, sympathy, congratulations, by turns agitate the mind, and establish, in the hearts of every well-informed citizen, a monument of gratitude to those illustrious patriots, who, under heaven, were the instruments of rescuing their cotemporaries and posterity from the yoke of despotism.

Many of the examples of oppression to which we have alluded, were occasioned, either by the institution of courts unknown to the constitution, or by the ordinary courts of justice having exceeded their powers, and perverted the laws, which ought to have been their rule of judging and punishing. By the bill of rights, such courts and sentences were declared to be contrary to the constitution. To extend the same equal dispensation of justice to every part of the kingdom, the court of marches in Wales, in its very constitution favourable to arbitrary power, was abolished. Courts of conscience, which had been found to afford a cheap and speedy course of obtaining justice, and highly beneficial to the commercial interest, were established in most of the considerable towns in England[50].

Both houses enter into the king's views of war with France.

The unanimity and alacrity with which both houses seconded the views of the king, by entering into war with France, exhibited a striking example of the temper of the English nation, and gave birth to a system of politics, which has produced the most interesting

[49] Warrington. Journ. Lords and Commons, 25th October, 12th and 19th November. Trials of Lisle, Cornish, Prideaux, and Devonshire.

[50] Journ. Lords and Commons, passim.

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events in the hiſtory of England ſince the period of the revolution. It is ſomewhat extraordinary, that a jealouſy of the Dutch, ſo predominant among all parties upon every other occaſion, did not ſhew itſelf, by ſuggeſting objections to a meaſure principally ſubſervient to their reſentments and intereſts. It might alſo have been expected, that individuals, endowed with penetration and integrity, would have required time to deliberate maturely upon affairs of ſuch magnitude, and that they would immediately have foreſeen embarraſſments, accumulation of expences, and the ſeeds of future conteſts, to be the conſequences of interfering ſo deeply in continental intereſts. So far from being ſtaggered with any of theſe apprehenſions, they ruſhed with ardour into the plan of foreign war; and though often diſtruſtful of the king, when there was no reaſon to withhold their confidence, they teſtified the fulleſt approbation of the alliances he had made, without examining the merits of them, and engaged to ſupport him with their lives and fortunes in proſecution of the war againſt France, without ſpecifying any particular conditions to reſtrain his inclinations, or limit their own generoſity [11].

Obſervations.

The conduct of parties on this occaſion can be accounted for, only, by that deep and inveterate antipathy againſt the French, which, from an early period of hiſtory, forms a conſpicuous feature in the character of the Engliſh nation. That antipathy had been increaſed by the reſtraints which fettered its exertions, even when it met with juſt provocation, under the reign of Charles the Second, unnaturally partial to the intereſts of a rival kingdom. It was inflamed to the higheſt pitch by a dread of the Roman catholic religion; and it now found full ſcope under the auſpices of a monarch,

[11] Journ. Commons, March, April, July, paſſim. Addreſſes of both houſes, 24th and 25th April. War was declared againſt France by England, 7th May 1689. The United States had declared war againſt France by their manifeſto, 20th October 1688, containing their reaſons for aſſiſting the prince of Orange in his expedition to England. Spain declared war againſt France 3d May, and the elector of Brandenburg 13th April, 1689.

whose ruling passion was the same. A deep and cordial sympathy, in this single point, first united William and the English nation, and afterwards preserved that union, notwithstanding an opposition of prejudices and humours, which often threatened its dissolution. By the voluntary consent of the parliament of England, to enter into his foreign connexions, and to take the lead in the war against France, the fondest wish of William was gratified. They who condemn continental connexions, and lament the profusion of blood and treasure of which they have been productive, ought to recollect, that they were the price which England paid for the revolution, and to balance their worst consequences, they ought to set over against them, the freedom, the prosperity, and the glory, which were the fruits of that event.

Misunderstanding between the king and the whigs.

If we had known nothing more of the history of this parliament, than that it had seated William upon the throne, and complied with the leading principles of his political system, we should hardly have suspected, that it could have failed in more trivial instances of obsequiousness, or that he should have found it expedient, and even necessary, to put an end to it by a premature dissolution. But the obligations, conferred upon the king by the ascendant party in the house of commons, were too important to admit of that respect and deference, which he thought necessary to maintain personal dignity and independent authority. It is found in the private intercourse of life, that nothing tends more to render individuals negligent, and deficient, in the discharge of the most important social duties, than any confusion or ambiguity in the relations, upon which these duties are founded. That the child owes obedience to the parent, and the private citizen subjection to the magistrate, are axioms of the law of nature, and of politics. But if accidental circumstances have perplexed the rules of superiority and subordination, or turned the balance of obligation against the scale in which it ought naturally to preponderate, the claims of superiority, intricate and disputable,

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are anſwered with reluctant and reſerved obedience. While the convention recogniſed William as their ſovereign, it was not poſſible for them to forget that they had put the crown upon his head, or to ſet bounds to their demands for favours from a perſon, who owed ſo much to them. While the whigs were diſappointed of that engroſſing influence in the councils of their prince, which they thought due to their meritorious ſervices, they were not reſtrained by the ſplendour of his ancient and hereditary dignity, from betraying, upon particular occaſions, expreſſions of ill humour and rudeneſs, which offended the feelings of the king, and effaced the impreſſions of their firſt ſervices to him.

The whigs did well in their plan of reforming the revenue, by diſtinguiſhing its branches, appropriating the ſupplies, and reviewing the application of them; but, in their progreſs in this buſineſs, they ſometimes adopted reſolutions which implied a diſtruſt and jealouſy of the king. The ſum appropriated to the civil liſt was not only penurious, conſidering how much it had been anticipated, but it was limited to the duration of one year, while a revenue of fifty thouſand pounds per annum was aſſigned to the princeſs Anne for life [52]. In vain did the king exert his utmoſt influence with individuals, and the queen uſe the moſt earneſt ſolicitations with her ſiſter, to prevent, or at leaſt to poſtpone a meaſure, which they conſidered as hurtful to the influence of the crown, and the union and dignity of the royal family [53]. The meaſure began with the tories; but it could not have been carried into effect, if it had not been ſecretly aſſiſted, and, in public, but feebly oppoſed, by the whigs; and their behaviour, in this inſtance, ſo inconſiſtent with their profeſſed reſolutions of œconomy, and, before they had yet ſettled the revenue of the crown, was believed by the king, to flow from a direct intention to affront and mortify him [54].

[52] Journ. Commons, 26th March, 17th July, 9th Auguſt, and 30th December.
[53] Conduct of the Ducheſs of Marlborough, p. 34.
[54] Burnet.

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From these symptoms of the temper of the ruling party, the king had no reason to expect either liberal support, or great success, in the prosecution of a foreign war, though he entered into it with the approbation of his parliament. The flattering promises of the tories, made to him while his mind was chagrined with the mortification he received from the whigs, excited the hope of more generous treatment, and a more propitious issue of his affairs [55]. In the mean while, the animosity of parties, and the disagreement of the members of administration among themselves, had advanced to such a crisis, as embarrassed and obstructed the progress of public business. We have already seen, in the debates and resolutions concerning the bill of indemnity, that oblique insinuations were pointed against persons who filled the highest ministerial stations. These were afterwards brought forward in the form of an open and direct attack, not only, as might naturally have been expected, from members of opposition, but from those who were themselves in place. Mr. Howe, vice-chamberlain to the queen, proposed an address for removing, from his majesty's presence and counsels, such as have been impeached by parliament, and betrayed the liberties of the nation, referring to the marquis of Carmarthen, president of the council, and the marquis of Halifax, keeper of the privy seal [56]. The earl of Nottingham, together with the marquis of Halifax, was also pointed at, by another motion, for addressing his majesty, to dismiss from office those persons who had accepted of a commission from the late king, to treat with the prince of Orange after his arrival in England. Great pains were taken to trace the misfortunes in Ireland, and particularly the abuses in the victualling-office, to the misconduct of the marquis of Halifax, to whom that department was committed [57]. It is hardly possible to find, in the worst of times, more virulent reflections against the prince and his ministers, or more lamentable complaints of the condition of public affairs, than what occur, at this

The tories flatter the king with promises of more generous treatment.

Jealousy of ministers among themselves.

[55] Tindal. [56] Ibid. vol. i. p. 377. [57] Journ. Lords and Commons, passim.

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this period, in the courſe of the debates upon the ſtate of the nation[58]. Neither did a ſenſe of common danger reconcile miniſters to each other, or promote a temporary and external union, to enable them to reſiſt the ſhock of oppoſition under which all of them were ſtaggering; on the contrary, they were contented to bear the ſmart of wounds, which, they hoped, might prove mortal to their antagoniſts. Carmarthen, Nottingham, Halifax, though partners in power, reciprocally animated with jealouſy, were privately uſing their influence to ſupplant each other in the confidence of the king[59].

Engroſſing ſpirit of the whigs.

If the whigs had been contented with a ſlow and gradual extinction of the influence of the rival party, they might long have held a ſuperior ſhare in the emoluments of office, and in the direction of public affairs, and at laſt would probably have attained to the excluſive property of adminiſtration. Irritated becauſe the king conſulted with the tories, and elated with the impreſſion they had already made by their attack upon lord Halifax, who had reſigned all his offices, they now puſhed hoſtilities with increaſing arrogance and violence, in order to render their victory complete and ſecure againſt any reverſe of fortune. All this they hoped to accompliſh, by introducing a clauſe in the corporation act, calculated to annihilate the political influence of their adverſaries. Every perſon, who had any concern whatever in the ſurrender of charters, was declared incapable and diſabled, for the ſpace of ſeven years, to bear or execute any office, or place of truſt, as a member of ſuch reſpective body corporate, where he was a member at, or before, the time of making ſuch ſurrender. This clauſe was carried by a great majority in the houſe of commons; and, what was more unexpected, it obtained the approbation of the lords[60].

Clauſe introduced into the corporation act, intended to exclude the tories from power.

Paſſes.

[58] Grey's Debates, vol. ix. paſſim.

[59] Rereſby.

[60] 2d and 10th January 1690. Grey, vol. ix. p. 510. Lords' Debates, vol. i. p. 398.

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The king was now reduced to the neceſſity of taking a bold and deciſive ſtep. The hopes and fears of two contending factions reſted upon his reſolution. They vied with each other in the diligence of their applications, and the liberality of their promiſes. But the prizes for which they contended were unequal. The one ſought only the chance of power, or to preſerve the capacity of being admitted to it: the other, a monopoly, or excluſive poſſeſſion of it. Nor was the alternative of equal conſequence to the king. The queſtion was not, whether he ſhould prefer one party to another, but whether he ſhould maintain the power of a preference or a choice. If he conſented to the bill, he ſurrendered into the hands of the whigs, one of the moſt important branches of his prerogative, the free election of his ſervants. He conſulted with his confidential friends: he was perplexed and agitated: he pondered in his mind a deſperate purpoſe. He thought of relinquiſhing a dignity which he found cumberſome and diſtreſsful. He at laſt fixed upon the reſolution of diſſolving the parliament[60]. The parliament was prorogued on the twenty-ſeventh of January, to the ſecond of April: on the ſixth of February it was diſſolved by proclamation; and a new parliament ſummoned to meet on the twentieth of March, one thouſand ſix hundred and ninety.

The king embarraſſed.

Diſſolves the parliament.

60 Burnet. Letters of Trevor and Wharton. Dalrymple, Ap. part ii. p. 80.

# APPENDIX I.

*Obſervations upon the Connexion between the State of the Revenue and the Temper of Government.—Progreſſive Improvements in raiſing the Supplies, tending to the Enlargement of Liberty.*

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Obſervations on the connexion between the ſtate of the revenue and the temper of government.

THE large revenue of the crown after the Norman conqueſt, ariſing from the great number of manors retained by William, rendered him and his immediate ſucceſſors. independent upon their people; and, conſequently, abſolute and uncontrolled in the exerciſe of their prerogative. After the temper, as well as the laws of the Engliſh, were completely ſubdued, and almoſt every idea of the Saxon conſtitution obliterated, a variety of circumſtances contributed to overturn the independence of the crown; and to ſuggeſt to the barons the deſire and opportunity of extending their privileges.

While the foreign dominions, derived from the conqueror, involved his deſcendants in perpetual wars upon the continent, the lapſe of time, and a coalition with the intereſts and habits of the Engliſh, rendered the poſterity of the Norman barons leſs mindful of the conditions, upon which their fathers had obtained their poſſeſſions, in England; and leſs zealous, about defending the rights and prerogatives of their ſovereign, in a country with which they themſelves were nowiſe connected, either by affection or property.

The transfer, and ſubdiviſion of manors, rendered the claims of the crown to the military ſervices of thoſe who poſſeſſed them, more intricate and diſputable. The commutation of military ſervices into ſcutages and pecuniary aids, though at firſt more profitable to the prince, inſpired the notion of a voluntary contribution, afterwards excited the expectation of being ſolicited, and, in the progreſs of theſe ideas, of making a bargain, and ſpecifying conditions,

tions, upon which their benevolences were ſuſpended. The parliament, upon the confirmation of the great charter by Henry III., granted him a ſupply; and the king iſſued writs to the ſheriffs, to enforce the obſervance of the charter; but, at the ſame time, to ſhow that it was a bargain, he excepted thoſe who did not pay their ſupply. Hume, vol. ii. p. 9. When the ſame prince again demanded a ſupply of his parliament, he was upbraided for not having fulfilled his engagements to them, and therefore refuſed. As no prince was more engaged in war than Edward I., and more frequently obliged to have recourſe to the bounty of his ſubjects, ſo no prince, before or ſince his reign, did more for the improvement of the conſtitution, or the advancement of liberty. The laws were new-modelled, and juſtice more regularly and impartially diſpenſed. But the moſt memorable political event, in the reign of Edward I., and that to which we trace every ſubſequent improvement, was the extending the repreſentation of the people, by introducing a new order of men into the national council. The leſſer barons, originally tenants to the greater, became independent and reſpectable. The boroughs, emancipated from the oppreſſion of the barons, by regal charters, began to draw ſome ſhare of the wealth of the nation to themſelves, by the culture of manufactures and commerce. From their proſperity Edward derived new ſources of ſupply. He invited them to attend in the great council of the nation; and, by the honour and conſequence he conferred upon them, allured them to contribute to the increaſe of the revenue. Hume, vol. ii. p. 89, 90, &c. Hurd's Dialogues, vol. ii. p. 160.

Progreſſive improvements of raiſing the revenue, tending to the enlargement of liberty.

The hiſtory of the revenue exhibits a view of the progreſſive civilization and liberty of the people of England. The commutation of feudal, military ſervices into money, or tax, was the conſequence of increaſing wealth; and contributed to the common advantage of king and people. The money, which the king received, procured

cured a warlike force, ſuperior in diſcipline and ſtrength to what he could have drawn, from the muſter and ſervices of his military tenants. Security from the avocations and interruptions of war encouraged induſtry and application to manufactures and trade, which, in progreſs of time, promoted a more rapid circulation, and more general diffuſion of wealth. Their wealth, ariſing from commerce, arts, and the ſubdiviſion of property, raiſed to conſequence a body of men, who before had hardly been deemed worthy of the notice and protection of the ſovereign. The commons, invited to the council, and inveſted with power and privileges, in return, contributed in large proportion to the wants of the crown, and the ſervices of the public.

There are ſome important changes, with reſpect to the public revenue, which have happened at different periods, and which are particularly deſerving of attention, on account of their influence upon the conſtitution of the government, and the manners of the people in England.

Henry II., finding the inconveniencies of the feudal inſtitutions in the time of a foreign war, impoſed a duty or ſcutage for each knight's fee, upon the eſtates of thoſe prelates who were bound to military ſervices. This example was followed by his ſucceſſors: ſcutages were afterwards extended and more frequently repeated, till military ſervices were entirely diſcontinued. Sir John Sinclair's Hiſtory of the Revenue, vol. i. p. 54.

A ſecond important revolution, in the revenue and conſtitution of England, was effected by the meaſure of Edward I., already referred to, viz. his ſummoning the leſſer barons, or the deputies of towns and boroughs, to attend upon parliament, and to contribute voluntarily to the exigencies of the ſtate. This was a great example, at an early period, of the connexion between taxation and repreſentation; and though often violated by the arbitrary exactions of his ſucceſſors, yet the precedent was remembered and urged by the

commons, as their undoubted right, as often as the weakneſs or neceſſity of the crown afforded them a propitious opportunity of bringing it forward. Ibid. p. 70.

The third important alteration, with reſpect to the revenue, happened at the reſtoration, and conſiſted in the abolition of the feudal rights, ſtill reſerved to the crown. A perpetual exciſe upon ale, beer, &c. was given to it, inſtead of the incidents of wardſhip, marriage, livery, purveyance. This gave the laſt blow to feudal oppreſſion, and contributed in an eminent degree to the liberty and relief of the ſubject. At the ſame period, all arbitrary exaction of taxes was declared illegal, and aboliſhed. Ibid. p. 186.

In this ſtate of things, the ſubject had attained to a very conſiderable degree of influence, and the income of the crown became more dependent, and, at the ſame time, leſs precarious. Some part of the revenue, namely the exciſe, was made hereditary; the cuſtoms, tunnage, and poundage, were alſo beſtowed for the king's life. That part of the revenue which was hereditary, and given in commutation for the ancient property of the crown, was now drawn from fixed and ſtated ſources; and delivered the crown from the great inconveniences which attended a revenue ſubjected to caſualties, ſuch as, livery, wards, &c. and delivered the people alſo from the weight of oppreſſion, of which the feudal prerogatives were productive.

Upon greater emergencies, which gave occaſion to extraordinary demands, the crown, at all times, had reſorted to the bounty or free ſupply of the ſubjects who poſſeſſed property. But ſtill, in theſe inſtances, the power of the ſubjects conſiſted, rather in a previous, than ſubſequent control. They might refuſe money in the firſt inſtance; but when they had once granted it, they had little power or influence in directing the expenditure of it. It was, however, thought ungenerous to withhold ſupply, when it was demanded by the crown, upon a plauſible pretext or urgent occaſion. Thus, after Charles had obtained grants for public ſervices, he often miſ-ſpent,

 or

or alienated the money. Large ſums were beſtowed in penſions to members of the commons, to retain them in the intereſt of the crown. Inquiries were inſtituted by the parliament, to diſcover theſe abuſes; and to chaſtiſe thoſe perſons who were the authors or abettors of them. And, becauſe theſe inquiries were eluded and defeated, future ſupplies were denied, even in inſtances where the houſe of commons ſeemed bound in honour to grant them; as particularly, after they had prompted the king to enter into war with France in the year one thouſand ſix hundred and ſeventy-eight. It remained at the revolution, to advance one ſtep farther in the power of interfering with, or regulating, the public revenue, viz. not only to grant it, but to apply it; or to ſpecify the particular articles of expenditure. Nothing further appears neceſſary to maintain liberty and the public welfare. If abuſes are ſtill committed, if the extravagance and peculation of miniſters, and thoſe whom they employ, render the public burdens enormous and oppreſſive, the defect is not in the conſtitution, but in the integrity, courage, and ability, of thoſe who are appointed to be its guardians, and intruſted with the execution of the laws.

# APPENDIX II.

*King William vindicated from the Charge of Bigotry.—Evidences and Examples of his ſteady Zeal for Liberty of Conſcience.*

King William vindicated from the charge of bigotry.

"THE king," ſays Mr. Macpherſon, "ſeemed to fall into the "weakneſs of his predeceſſor, in encouraging diſſenters againſt "the eſtabliſhed church. The prejudices of James, in favour of the "Papiſts, were almoſt equalled by thoſe of William for the Calviniſts." Macpherſon's Hiſtory, vol. i. chap. 9. Of the comprehenſion bill the ſame author ſays, "His predeceſſor, in all his frantic ſchemes of religion, "could not have propoſed a more impolitic meaſure. The conduct of "William

" William was compared with disadvantage to the indiscriminate " tolerance of James, as more ought to be expected from the " former than from the latter." Ibid.

These expressions amount to a direct charge against William; that he was infected with bigotry, or an unreasonable partiality to Calvinism, and that the measures which he was prompted, through the influence of those prejudices, to pursue, were inconsistent with wise policy.

Evidences of his steady zeal for liberty of conscience.

There is not, in the whole history of William, a single action that savours of bigotry, or wild attachment to any particular form of worship, or system of religious opinions; while there are many evidences of his moderation as a protestant, his indulgence towards Roman catholics, and his consistency and perseverance as a friend to toleration.

When king James solicited his consent to the repeal of the tests, he declared it to be his opinion, that Roman catholics ought to be permitted the free exercise of their religion, but excluded from offices of public trust. Burnet.

Upon his first approach to London, he gave strict orders to take care of the papists, and to secure them from all violence. When he arrived there, he renewed the same orders. Ibid.

After his accession to the throne of England, William uniformly discovered an anxiety to extend indulgence to all different sects, which assumed the pretext or colour of conscience. While he earnestly wished to admit moderate dissenters into the body of the church, he exhibited an example of disinterested, perhaps impolitic lenity, by endeavouring to obtain an exemption from the oath of allegiance for such members of the established church, as deemed that oath irreconcilable with their engagements to the abdicated king. He repeatedly disappointed the expectations, and checked the zeal, of his best affected subjects among the protestants, by opposing harsh measures towards the Roman catholics, which could not be

be carried into effect without his consent. The lords presented an address to the king, the twenty-fifth of June one thousand six hundred and eighty-nine, praying him to prohibit French protestants from coming to Whitehall or St. James's park, and to order all French papists, who were not householders, to leave the kingdom. To this the king replied, That, after deliberation, he found it would be hurtful to the nation to comply with this recommendation, and that as he had promised to protect Roman catholics while they lived peaceably, he thought fit to suspend such a proclamation till their lordships had farther considered it.

Many of the Roman catholics acknowledged with gratitude the moderation and tenderness of William's government.

But it may be asked, Why did he change the established religion in Scotland; and did not the abolition of episcopacy, and the institution of presbytery there, bear the evidence of a strong partiality to the latter? I answer, That this was a matter in which he had no choice. The abolishing prelacy in Scotland was just as much a condition of his reigning there, as the abolishing the ecclesiastical commission, and consenting to all the other articles of the bill of rights, were the conditions of his reigning in England. The political sentiments of the clergy, and of the members of the episcopal church of Scotland, and the part they acted at the revolution, fixed an unalterable opposition between their interest and that of the prince of Orange, and, upon the event of his success, ensured the superiority of the presbyterians. The bishops, clergy, and universities, in England, remonstrated against the arbitrary measures of James; and, though some of them afterwards retracted, or did not proceed consistently and vigorously, yet the church unquestionably had the merit of the first steps in that revolution which raised William to the throne. On the contrary, the episcopal clergy, in Scotland, became accessary to the arbitrary measures of James, by approving of them, and devoting themselves, in the most

ſervile terms, to honour and ſupport him, while he was in the career of enthuſiaſm. See Addreſſes of the Biſhops and Clergy of Scotland, Temp. Jac. Balcarras's Memoirs.

In England, proteſtants of all denominations concurred in the revolution, and were equally entitled to the protection and immunities which were the fruits of it. In Scotland, not only the clergy, but laity, were divided in their ſentiments concerning the revolution, according to their religious principles. The preſbyterians declared for the prince of Orange; the epiſcopals adhered to king James. Dundee and his followers were all of the latter perſuaſion. The eſtabliſhment of preſbytery in Scotland was therefore a neceſſary reſult of the ſtate of politics, and no evidence of any bigotted predilection in William for that religion. He highly diſapproved of the violent proceedings of the preſbyterians, and uſed his utmoſt influence to reſtrain them. He ſeemed particularly anxious to prevent the diſmiſſion of the epiſcopal clergy who were willing to take the oaths, though they ſcrupled to adopt the forms of the preſbyterian worſhip. Life of Carſtares, p. 43, 44, 45. He deſired, that ſuch epiſcopals as did not yield to the preſbyterian government, might have the ſame indulgence in Scotland, that the preſbyterians enjoyed in England. Ibid. p. 49.

When the original draught for the ſettlement of preſbytery in Scotland was ſent to William, after deliberating and converſing with Mr. Carſtares upon this ſubject, he dictated ſome remarks to be returned to the commons, which equally evince a ſolid judgment and a pure and delicate conſcience; particularly, inſtead of the ratification of preſbyterian government, as being the *only government of Chriſt's church* in this kingdom, he deſired that it might be qualified with the additional clauſe *as eſtabliſhed by law.* Ibid. He expreſſed great diſſatisfaction with the conduct of lord Melvill, his commiſſioner, in the Scottiſh parliament, for having exceeded his powers, from a deſire to gratify the violence of the preſbyterians. Tindal, vol. i. p. 473. See chap. xviii.

When

When the act for repealing the laws in favour of episcopacy was passed, it was declared, that episcopacy was contrary to the genius and constitution of the church of Scotland, for the king would not consent to a plain and simple condemnation of that religion. Burnet.

A remarkable example of William's abhorrence of persecution, and of his delicacy with respect to matters of conscience, appeared upon the coronation oath from Scotland being tendered to him. When he came to repeat the clause in the oath, by which he was bound to root out heretics, he desired it might be understood, that he did not mean by these words, that he was under any obligation to become a persecutor. The commissioners answered, that the meaning of the oath did not import it. He replied, that in that sense only he took the oath. Kennet.

If William really had any propensity to favour protestant dissenters, more than the church of England, he had the fairest opportunity of doing it, by consenting to the corporation act as modelled by the whigs, which would have greatly increased the political influence of the presbyterians; and yet, rather than consent to this, he chose to dissolve his parliament.

When any person of private station shews himself to be a friend to toleration, he is often considered as a friend also to the sect, or opinions, which stand in need of it. Vulgar minds, which know not what it is to esteem or to love any thing, out of the narrow circle of their own party, cannot separate the ideas of tolerance and approbation; whereas lenity and forbearance are consistent with a very low estimation of the understanding and principles of the persons, towards whom they are exercised.

But admitting that these observations acquit William of the charge of bigotry, do they not still arraign the wisdom of his policy? Was his scheme of comprehension practicable, and expedient? Did not the attempt expose him to suspicion and censure, and alienate the affections

affections of ſome of his moſt powerful friends in the church of England? Clarendon's Diary, paſſim. Publications in Collection.

If ever a plan for the union and comprehenſion of moderate diſſenters with the church of England, could have been attempted with any probable view of ſucceſs, it muſt have been at the period of the revolution. Men are never ſo likely to diſcern the infatuation of thoſe prejudices which alienate them from their fellow-citizens, as when a participation of common dangers and deliverance has inſpired them with a deep ſenſe of the important bonds of connexion, by which they are intimately and eſſentially united. If ever there is a ſeaſon, when perſons in poſſeſſion of power may be expected to make conceſſions to a party which they have been accuſtomed to conſider as their rivals, it muſt be, when recent experience has convinced them, that the aſſiſtance and ſervices of that party are indiſpenſible to the permanent ſecurity of their own private intereſts and pre-eminence. In theſe views, the revolution preſented the opportunity for a ſcheme of union and comprehenſion, which muſt evidently have contributed to political harmony, and the increaſe of national power. The clergy of the church of England were themſelves ſo far influenced by theſe conſiderations, that they had, previous to the revolution, propoſed a plan of union; and ſome of their moſt eminent members were employed in preparing conceſſions for reconciling and uniting moderate diſſenters. Old Mixon.

If the ſcheme of comprehenſion was not apparently impracticable, was it liable to any objection upon the ſcore of juſtice, or ſound policy? Juſtice and ſound policy are, it is to be hoped, inſeparably united; and the more exactly meaſures of government are conformed to the maxims of juſtice, the more effectually will national welfare, and all the purpoſes of ſound policy, which refer to that grand object, be promoted.

Is it not unjuſt and tyrannical, to lay men under political diſadvantages, when they cannot be charged with any political guilt?

R r Does

Does not every meafure tending to this effect, deduce fomewhat from the aggregate of national ftrength? Is not the fummit of political perfection obtained, when the members of the community, of every defcription, ftand precifely upon the fame footing, with refpect to immunities, the difpenfation of juftice, and the capacity of honour and employment?

As it has been found, that the proteftant religion, in general, has been moft favourable to the progrefs of civilization and the extenfion of liberty, fo it has been alfo found, that thefe effects are moft perfect and confpicuous, where the fpirit and rules of proteftant churches have been moft tolerant and liberal. The ardour and perfeverance, with which William profecuted a relaxation of the tefts, and the bill of comprehenfion, fo far from deferving to be branded with the cenfure of narrownefs and bigotry, are illuftrious evidences of that wifdom and liberality which reflect the higheft honour upon the human character.

## CHAP. XII.

*The King censured for having dissolved the Convention Parliament.—Commissions of the Militia changed in favour of the Tories.—Many Whigs continue in Office.—The Tories most successful in the Elections.—Second Parliament of William meets.—Debates concerning the Settlement of the Revenue.—Resolutions.—Observations.—A Bill for ratifying the Acts of the Convention, and for acknowledging the Titles of the King and Queen, introduced by the Whigs—carried.—Bills, for abjuring King James—for securing the Government—for restoring the Charter of London—The last opposed by the Whigs—passes both Houses.—The Tories obtain a Vote of Thanks to the King, for having changed the Militia.—The Lords institute an Inquiry concerning the Characters of the Officers appointed to Commissions in the Militia.—Bill for exacting the Forfeitures from those who had accepted Commissions without the legal Qualifications.—Act of Grace.—State of Ireland.—Duplicity of Tyrconnel.—The Protestants alarmed.—James lands in Ireland.—The Parliament meets there.—Acts of Settlement and Explanation repealed.—Oppressive Consequences of the Repeal.—Act for indemnifying the Proprietors to be restored by it.—Act of Forfeiture.—Acts fatal to the Protestant Clergy.—Violent Proceedings against the Protestants.—Effect of the Government of James in Ireland upon the Minds of the English.—Marshal Schomberg sent to Ireland—William goes there—gains a complete Victory.*

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The king censured for having dissolved the convention parliament.

THE dissolution of the convention parliament, which had been the instrument of the revolution, weakened the influence of the whigs, and was censured as an evidence of the imprudence, as much as of the ingratitude, of the king. The premature death of the parent proves more deeply calamitous to the child, when left in indigence, involved in litigation, and threatened with the oppression of a powerful, interfering interest. What but the continued affection and fostering care of that party, which had put royal power into the hands of

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of William, could defend it against the malignity of internal faction, and the violent attacks of foreign hostility [1].

Commissions of the militia changed in favour of the tories.

The king, unwilling to give an open and a decided preference to any party, retained at least an equal number of the whigs in the offices of administration [2]. In a new commission of the militia of London, the tories were preferred, almost to the entire exclusion of their antagonists: but this measure was considered as affecting parties in their religious, rather than in their civil, interests. The commissions in the militia, under the influence of those who first advised the king, had been given to many of the dissenters; and this was complained of by the friends of the church, as a mortifying evidence of his distrust of their fidelity, and of his partiality to their rivals. To appease their discontents, and to conciliate the favour of the tories, upon whose support he was now to throw himself, he had found it necessary, during the interval of parliament, to change the lieutenancy of the militia in London. That the church might have full satisfaction, he referred the new appointments to Compton, bishop of London; who, in the spirit of retribution, turned out the dissenters, and placed in their room the most zealous tories [3].

Many whigs continue in office.

The whigs, however much dissatisfied with the dissolution of parliament, did not choose to express their resentment by resigning the places still left in their possession. Regardless, perhaps, of emolument, they might expect to avail themselves of the influence of office for re-establishing their party; or, moved by more liberal principles, they might think it dangerous to abandon the new government, entirely, to the management of persons, whose principles were suspected of being unfriendly to its spirit and constitution.

[1] Warrington's Impartial Inquiry.

[2] Two days before the parliament met, lords Monmouth, Warrington, and sir H. Capel, were dismissed from the treasury, over which sir John Lowther, a tory, was appointed to preside. Mr. Hampden, a whig, was continued in the treasury, and made chancellor of the exchequer. Sir Stephen Fox, and Mr. Thomas Pelham, were brought into the board of treasury: the earl of Pembroke was made first lord of the admiralty, in room of lord Torrington.

[3] Burnet, 1690.

Whatever

Whatever the sentiments and wishes of the king might be, it was evident, that superior influence in parliament must of necessity ascertain the strength of contending parties, and determine the choice of his ministers. In the contests for elections, both parties deviated from a due respect to candour and truth, by putting the hardest construction upon the measures and conduct of their opponents. The members who had voted for the corporation bill, were represented as friendly to republican principles, and bent on the ruin of the church. The whigs retaliated, by insinuating that the tories were enemies in their hearts to the revolution; and, in confirmation of this charge, published lists of those members who had voted against the resolution of the commons with respect to the abdication of the crown [4].

The tories most successful in the elections.

The tories not only prevailed, in procuring a majority of members from the counties where their natural strength lay, but, stimulated by resentment at the affront levelled against them by the corporation bill, made successful efforts in many of the boroughs, where their antagonists had intended to exclude them from any capacity of influence [5].

Second parliament of William meets.

The new parliament met on the twentieth of March, one thousand six hundred and ninety. The choice of Sir John Trevor to be their speaker, indicated the superior strength of the tories, in the house of commons [6]. The king declared his intention of going to Ireland, and solicited the assistance of parliament to enable him to prosecute the war with vigour. He mentioned the importance of making the revenue a fund of credit, in order to raise the supplies more expeditiously. His ineffectual endeavours, for obtaining an act of indemnity in the last parliament, were assigned as the reason for an act of grace, to extinguish all differences among his subjects.

Addresses were presented by both houses, containing expressions of their thanks for his majesty's speech, and of their resolutions to sup-

[4] Ralph, vol. ii. p. 190.

[5] Burnet, 1690.

[6] "Being a tory in principle, he undertook "to manage that party, provided he might be "furnished with such sums of money as might "purchase some votes, and by him began the "practice of buying off men, in which the "king hitherto kept stricter rules." Burnet.

port

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Debates concerning the settlement of the revenue.

port the government; and, agreeably to the tenor of his request, the commons entered upon the business of the revenue and supply [7].

Sir John Lowther introduced into the house of commons a motion for settling the revenue upon the king and queen for life, in the same manner as it had been granted to their predecessors [8]. The convention parliament had found that the revenue expired with the abdication of the king; the motion now made was therefore supported by arguments drawn from expediency, and the personal merits of the king. The revenue was a reward which the nation was bound, by irresistible obligations, to confer upon a prince, who had rescued them from the brink of ruin, and who was about to engage in a new scene of labour and danger, to extend the benefits of reformed government to the sister kingdom. The reputation of England, in the eyes of Europe, was intimately connected with the issue of this question. What foreign state would either esteem the character, or confide in the alliance, of a people, who requited such a benefactor with distrust and ingratitude [9]?

In the discussion of this question, the whigs resumed the arguments which had been insisted upon in the convention parliament; and, in answer to those, who laid so much stress upon the services and virtues of the prince now upon the throne, it was observed, that these were foreign to the question, and tended to mislead judgment by the influence of affection. Secure themselves from danger, it became them, in the most enlarged spirit of patriotism, to erect bulwarks for the liberties of posterity, and, in the reign of a mild and generous prince, to establish regulations which would control the will of wicked and tyrannical successors [10].

We are not, however, to conclude, that the sentiments and votes of the members, in the house of commons, upon this question, were exactly divided according to the influence of party. Though the

[7] Journ. Commons, 22d and 26th March.

[8] Grey's Debates, vol. v. p. 8.

[9] Grey's Debates, vol. v. p. 8.

[10] Ibid.

system

ſyſtem of the tories was more favourable to prerogative, which was either to gain, or to loſe, by the iſſue of the conteſt, and though ſome of the leaders of that party had recommended themſelves to the king by the liberality of their promiſes, yet there were others, who, impreſſed by the weight of argument, thought it of the greateſt importance to hold the crown in a ſtate of dependence upon the people; and among the whigs, a few, perſonally attached to the king, and implicitly adopting his ſentiments and views, ſeparated themſelves from their friends, who, upon ſyſtematic ground, contended for reſtrictions in the diſpoſal of the public revenue [11].

Reſolutions.

After the debate had run out into a conſiderable length in a general ſtrain, it was with propriety reduced to order and preciſion, by diſtinguiſhing between the eſtabliſhed revenue and the occaſional ſupply, and was brought to a concluſion which ſeemed to be founded upon equity, and which provided ſufficiently for the ſupport of the royal dignity, without eſtabliſhing ſuch independence, as might render the ſovereign indifferent to the opinions and affections of his ſubjects. The principal branches of the exciſe, which had been conferred upon Charles the Second in lieu of his hereditary revenue, were ſettled upon king William. The cuſtoms were continued to him for four years, with a clauſe to make them a ſecurity for the raiſing of money towards a ſupply; and becauſe the revenue had been formerly ſubjected to heavy anticipations by the royal grants, it was now enacted, that all future anticipations of the funds ſhould expire at the death of the prince who beſtowed them. A ſupply of one million two hundred thouſand pounds was granted to his majeſty, for public occurrences between that time and Michaelmas [12].

Obſervations.

Theſe were the only public meaſures in which the diſtinction of parties was leſs obvious and regular. Other ſubjects of debate, in

[11] Burnet, 1690.
[12] Journ. Commons, 26th, 7th, 8th, 9th, and 31ſt March. 2d and 3d April.

both

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both houses, though often important to national interest, were evidently blended with the views of parties, and the issue of them afforded an exact criterion of their comparative strength, and of their various success. Accommodated to their peculiar circumstances, were the different plans and weapons with which they waged their political warfare. The whigs, inferior in numbers, and declining in the favour of the court, relied chiefly upon the fortune of incidents, and endeavoured, by stratagem or surprise, to turn their enemies out of the strong holds of power: the tories, confiding in the strength of numbers, and elated with recent victory, openly proclaimed the attacks which they intended, and seemed to wish, not only to conquer, but to affront and humble their antagonists. Thus the whigs, under the cover of zeal for the new settlement, introduced such bills into parliament, as reduced their opponents to the necessity, either of contradicting the principles they had formerly maintained, or of defending them at the hazard of losing the favour of the court. The latter, irritated by attacks from which they did not escape unhurt, availed themselves of their superiority to carry many resolutions and votes, evidently contrived to mortify their opponents. These observations will be illustrated, by examples of the most remarkable debates and measures which occurred in the course of this session of parliament.

A bill for ratifying the acts of the convention, and for acknowledging the titles of the king and queen, introduced by the whigs.

As the changing the convention into a parliament, however necessary, was carried with difficulty, it must naturally have occurred to the friends of the revolution, that the ratification of that measure, by a parliament regularly constituted, would be of the greatest consequence to prevent future disputes concerning its propriety, and to strengthen the present establishment. The whigs contrived, with great address, to interweave with this motion another which was less palatable to the tories, while it seemed to be recommended by a regard to the personal safety and honour of the king. A bill was brought into the house of lords for acknowledging their majesties

 rightful

rightful and lawful sovereigns of these realms, and for declaring all the acts of the last parliament to be good and valid [13]. The abdication of the late king voted by the commons, and the admission of the prince of Orange to the throne, independently of the right of his wife, were measures repugnant to the principles of the tories. They had taken care, however, to guard against exclusion from office, by professing such practical maxims as counteracted the poison of their political theory; for they had declared, that they would obey and serve king William, after he was seated upon the throne, with as much fidelity, as if his title had been established upon the sound foundation of hereditary succession. But now they were again challenged to enter into the field of political controversy, and to render an account of their principles to the public. A recantation of them must wound their pride, and shake their credit for integrity; adherence to them might offend the king, and seemed indeed to disqualify them for future trust and services. From the difficulty of this dilemma the tories endeavoured to escape, by passing over, or by slightly opposing, the first clause of the bill which regarded the king's title, and by directing the whole force of their opposition against that part of it which established the validity of the acts of the convention parliament. They contended, that it was more expedient to acquiesce silently in what had been already done, than to confer superfluous authority upon measures which deviated from the common forms of the constitution [14]. The danger evidently arising from any hints of suspicion concerning the lawfulness of an assembly, on whose authority the most important transactions rested, together with the personal influence of the crown, which, in this question, was exerted on the side of the whigs, prevailed against the inclinations of the party in power, and it was carried in the affirmative. The tories did not venture to incur the hazard of a second defeat, by debating upon the merits of this bill in the house of commons.

[13] Journ. Lords, 5th April.  [14] Ralph, vol. ii. Lords' Debates, vol. i.

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mons. was read twice on the day of its being presented, and it was agreed that it should be read a third time the next day, after which, it passed [15].

Bill for abjuring king James.

The whigs were neither so well founded, nor so powerful, in another attempt to expose the principles, and thereby to weaken the influence, of their opponents. The rumour of conspiracies, and the approaching absence of the king, afforded specious arguments for exacting the strictest tests of loyalty. For this purpose, a bill was introduced in the lower house, requiring all persons in office to take an oath abjuring king James. Upon this occasion, the tories triumphed no less in force of argument, than in superiority of numbers. They contended, that the bill of rights, the richest boon of the new government, had placed an insurmountable barrier against any change in the oaths; that the duties of the king on the one hand, and those of the subject on the other, were reciprocally stipulated, and the oaths, binding to the performance of them, expressed with precision. The consent of the subject to the translation of the crown was yielded, upon the assurance, that the oaths, as they were then fixed, were to remain the only legal tests of attachment to the present king, and of being qualified to hold offices under him. The enlargement of the contract on one side, certainly required a corresponding alteration of the conditions agreed to on the other, and might amount to a total change of the constitution. What advantage could the government acquire by the oath of abjuration, that it did not already derive from the oath of allegiance; or what dangers were now impending over the nation, which could be either prevented or alleviated by any oath the most jealous policy could invent? If, after having sworn allegiance to William, any person could reconcile it to conscience to give aid to king James, it was not to be imagined that he would be excluded from office by scruples about abjuring his right. But there were many,

25th April.

[15] Journ. Commons, 9th April.

who,

who, having once ſworn fidelity to the prince upon the throne, would ſerve him with zeal, while, at the ſame time, they cheriſhed ſuch a refined ſenſe of probity, that it was impoſſible they could ever be tempted, by any conſideration of intereſt or danger, to ſwear to an opinion which they did not admit with the cleareſt apprehenſion, and with the full conviction of the underſtanding. Such perſons, ſtigmatized and proſcribed by the preſent government, would be under ſtrong temptations to conſpire againſt it, while they reſigned their offices into the hands of falſe-hearted men, who revered religious obligations, ſo far only, as they contributed to their views of gain and preferment. The very propoſal of a new oath was an injury to government, becauſe it implied a conſcious diſtruſt, which tended to revive the drooping hopes of its enemies. Where you put a buttreſs to the building, you mark the ſpot of weakneſs and danger. By attempting to fortify the king's title with oaths unknown in any former reign, his officious friends invited more curious and elaborate ſcrutiny, which might ſpread the malignant diſeaſe of political ſcepticiſm. Of uniformity in ſpeculative opinions no ſociety could boaſt, and every experiment for this purpoſe, pregnant with animoſity and diviſion, remained a monument of the ignorance and temerity of thoſe who ſuggeſted it. Unity of intereſt and deſign, the collected exertion and untainted probity of every deſcription of citizens, conſtituted the ſtrength and glory of a nation, and would be found, in the preſent ſtate of England, the moſt powerful guardian of the reformed government, and of the title of the king attached to it[16]. The bill was thrown out by a majority of an hundred and ninety-two to an hundred and ſixty-five[17].

*rejected.*

*For ſecuring the government.*

The tories, aware that the rejection of the oath of abjuration would be made a pretext for infuſing ſuſpicions of their loyalty into the minds of the people, embraced the firſt opportunity to avert

[16] Grey's Debates, vol. x. p. 75.   [17] Journ. Commons, 26th April.

 them,

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them, by propofing other meafures for the fecurity of the prefent government. The fufpenfion of the habeas corpus, the moft obvious and effectual plan for this end, afforded their opponents advantages of argument, which they were unable to defeat by influence alone; they therefore had recourfe to fuch moderate refolutions as were carried by the approbation of every party [18].

For reftoring the charter of London.

One of the moft unexpected arrangements of parties in the courfe of this feffion, was exhibited in the feveral queftions and debates which related to the charter of the city of London. The whigs had acquired the higheft merit from the firmnefs with which they had oppofed the firft efforts of regal ufurpation, in recalling the charters of the corporations, while the tories in general had confented to them, and, by their fervility to prerogative, had a deep fhare in thofe accumulated oppreffions which directed the eyes of the nation towards the prince of Orange. It was moved in the houfe of commons, that a bill fhould be brought in, for reverfing the judgment of the king's bench, in favour of the crown, againft the city of London [19]. While this motion, originating with the tories, intimated a penitent renunciation of their fentiments, the warm oppofition it met with from the whigs, carried the appearance of unaccountable inconfiftency with the principles, on which they had formerly prided themfelves.

Upon a nearer furvey, it appears, that interefted motives influenced the public conduct of both parties upon this occafion. The tories were anxious to engrofs the merit of reftoring the firft city in the kingdom to its privileges; and, as an acknowledgment of their fervices, they might reafonably expect that a preference would be given to their friends in the new election of magiftrates. The whigs,

[18] Journ. Commons, 29th April. It was propofed by the tories in the houfe of lords, that an oath fhould be taken, not to affift king James, or any of his inftruments, knowing them to be fuch; and that fevere penalties fhould be inflicted upon all who refufed to take it. Journ. Lords, 8th May. This bill was not carried through before the adjournment of Parliament.

[19] Journ. Commons, 8th, 22d, and 24th April.



force-

1690.

Opposed by the whigs.

foreseeing the advantages which might redound to their adversaries from this measure, but unable to controvert its essential justice and propriety, were constrained to have recourse to a refined species of argument, and to represent the redress proposed, as ensured by the inherent principles of the constitution. The very question, they said, ought to be avoided, because it conferred upon the sentence of corrupt judges a degree of authority dangerous to liberty, and disparaging to the laws of their country. To revise a judgment was, in effect, to suppose that it had obtained a legal existence. The superior courts reversed the sentence of inferior ones, because the constitution had empowered them to do so; and the rule of the law was often so obscure and perplexed, that it might be misapprehended, without any deviation from purity of intention. But, in the instance referred to, the error was wilful and perverse, because the sentence was notoriously unjust. It was also objected to the bill, that it was pushed forward with too much celerity, and was inadequate to that extension of privileges which the corporations were justly entitled to expect[20]. In order to assist this argument, a petition, in the same spirit, was presented to the house by the common council of the city; but, being found to contain a claim of new privileges, it was warmly opposed by the tories, as invading the royal prerogative, from which the grant of them ought to flow[21]. The attempt of the whigs to obstruct the bill in the house of lords, by petitioning for a delay, was also unsuccessful, though it passed there only by a majority of two votes[22].

Passes both houses.

The tories obtain a vote of thanks to the king, for having changed the militia.

The thanks of the house of commons were presented to his majesty, for the great care he had expressed of the church of England, in the late alterations he had made in the lieutenancy of the city of London[23]. This measure may be justly considered as the strongest evidence of the superior influence of the tories, and of the insolent

[20] Grey's Debates, vol. x. p. 58.

[21] Journ. Commons, 17th April.

[22] Journ. Lords, 13th May. Lords' Debates.

[23] Journ. Commons, 24th April.

exertion

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exertion of that influence. They were aware that the changes in the commissions of the militia, which had been directed by them, must have furnished their enemies with the justest grounds of censure. To prevent this, they covered the measure with the garb of merit, by connecting it with the interest of the church of England.

The lords institute an inquiry concerning the characters of the officers appointed to commissions in the militia.

An inquiry was instituted in the house of lords, concerning the characters of the persons to whom the commissions of the militia had been given. In the progress of this inquiry, the lords resolved to call for the evidence of sir Robert Clayton and sir John Treby; who, when the question of thanks was under the consideration of the lower house, had opposed it, on account of their personal knowledge of the demerit, of some of those persons, promoted by the late alterations in the militia. This resolution of the lords was considered by the commons as insidious and unconstitutional, by requiring them to become accessary to their own crimination; and as disrespectful to the sovereign, by censuring his nomination of the militia, a right which was vested in him by the statute [24]. The lords nevertheless persevered in the inquiry, till they were stopped by the adjournment of parliament [25].

Bill for exacting the forfeitures from those who had accepted of commissions without the legal qualifications.

The whigs, representing their own merits and claims from the nation, laid the greatest stress upon their conduct, contrasted with that of the tories, during the last years of the life of Charles, and the whole reign of James. While the latter had supported, they had opposed, arbitrary measures: while their adversaries had been cherished and promoted, they had been disgraced and banished from the court. It is certain, however, that these representations and pretensions were not uniformly true, and unexceptionable. In the end of the reign of James, many of the dissenters had been allured to accept of religious liberty, illegally tendered by the stretch of prerogative; and some of them had accepted places for which

[24] Journ. Commons, 12th May

[25] Journ. Lords, 16th, 17th, and 22d May.

 they

brought in

by thofe, who had been in office in the late reign, without the legal qualifications; and, that none of the forfeitures might be alleviated or remitted, a claufe was added, ordaining them to be paid into the exchequer, and accounted for to the public[26]. This bill, if it had taken place, muft have affected their own friends; but the tories were willing to fuffer in their pecuniary interefts, provided that they could reduce the reputation of their antagonifts to the fame level with their own. After having paffed the houfe of commons, it was thrice read in the houfe of lords, where fome amendments were propofed; but the adjournment of parliament took place before thefe were agreed to by the other houfe[27].

An act of indemnity, under the form of an act of grace from the king, obtained the confent of both houfes, and clofed the bufinefs of this feffion. Thirty-two perfons only were excepted from the benefit of it. It paffed in the houfe of lords without any oppofition, and was tranfmitted to the commons, with this expreffive teftimony of their approbation, that it had paffed unanimoufly[28]. Though the object of the bill had been acceptable to the houfe of commons, yet this mode of notification might have been deemed reprehenfible, as a precedent for obtruding the authority of one member of the legiflature, in order to influence the opinion of the other. Such, however, was the difpofition of the commons to favour the indemnity, that though this objection did not efcape notice, yet it was not made the occafion of any delay, or obftruction, to their paffing the bill. It was only after confenting to it, that they appointed a committee to fearch for precedents, and to draw up reafons in bar of its being made an example[29].

Act of grace.

26 Journ. Commons, 15th May.
27 Journ. Lords, 16th and 19th May.
28 Journ. Commons, 22d May.
29 Ibid. Ralph, vol. ii. p. 210.

But

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But though the whigs were ſubmiſſive in both houſes of parliament, yet their friends and partiſans through the nation loudly exclaimed againſt the act of indemnity. A torrent of abuſe was poured out on the character of the king: he was accuſed of breaking the engagements of his declaration; and of ſhaking off his firſt friends, the whigs, to employ, in their place, men who had been trained and exerciſed, in the ſchool of tyranny [30]. The king, impatient to aſſume the command of the army in Ireland, put an end to this ſeſſion of parliament on the twenty-third of May.

State of Ireland.

1689.

After the convention in England, and in Scotland, had ſettled William upon the throne, great hopes were entertained, that Ireland would have ſubmitted to his authority without coercion or ſtruggle. The earl of Tyrconnel, the lord deputy, fluctuating in his reſolutions, and incapable of retaining any attachment repugnant to his intereſt, had, in the courſe of converſation with the proteſtants of the higheſt diſtinction, made advances to a reconciliation with the new government of England. Upon the faith of his ſincerity, agents had been ſent to treat with him; and it was imputed to their treachery, more than to his backwardneſs, that the title of William was not immediately acknowledged [31]. Whether it was with the proſpect of obtaining more favourable conditions, or with the inſidious deſign of amuſing expectation, and ſuſpending hoſtilities, till the arrival of reinforcements from France, Tyrconnel ſtill continued to maintain an amicable intercourſe with the proteſtants. He declared, that though he felt the indiſpenſible obligation of adhering to James, in conſequence of the truſt repoſed in him, yet he would not ceaſe to ſolicit permiſſion, either to ſurrender Ireland into the hands of William, or to reſign his office; and with the profeſſed purpoſe of carrying theſe deſigns into execution, he ſent lord Mountjoy and baron Price to wait upon king James at Saint Germains [32]. The

[30] Publications of the times. [31] Apology for the Proteſtants in Ireland.
[32] Secret Conſults of the Roman Catholics in Ireland. State Tracts, T. W. vol. iii.

impriſon-

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1689.

Duplicity of Tyrconnel.

imprisonment of lord Mountjoy in the Bastile, without allowing him to explain the purport of his commission, and the redoubled activity of Tyrconnel in levying and arming the Roman catholics, at last opened the eyes of the protestants to a sense of his treachery, and of that fatal credulity into which he had beguiled them. The immense superiority of the Roman catholics, the inveterate rancour, and vindictive spirit, of those who had been deprived of their estates by the act of settlement, the barbarity of the lower classes of the people, let loose to plunder and destroy, spread an universal consternation and panic among the protestants[33]. With the most anxious importunity they implored the speedy interposition of England, as the only means of preventing their immediate destruction, and the utter subversion of the protestant religion. The extreme tardiness of the convention in voting supplies, and the danger of diminishing the military force of England till his power was firmly rooted there, prevented William from sending assistance to Ireland, adequate to the exigency and expectation of his friends[34].

The protestants alarmed.

A great

[33] Memoirs of Ireland.

[34] It was believed by some, that king William neglected the affairs of Ireland, and did not wish to crush the rebellion there, in order to have a pretext for keeping up a standing army, by which he might more firmly establish his power in England. Lord Clarendon complains of the unaccountable remissness of William about the affairs of Ireland, and of his declining all conversation with him upon that subject. Clarendon's Diary, passim.

Lord Dartmouth, in his notes upon Burnet's History, says, "That the duke of Leeds informed him, that Tyrconnel sent several messages to the king, intimating, that he was ready to deliver up Ireland, if he would but give him a decent excuse, by sending any thing that looked like a force to demand it. But lord Halifax told him, that if Ireland was quiet, there would be no pretence for keeping up an army; and if there was none, he would be turned out as easily as he had been brought in." Dalrymple's App. part i. p. 348.

Notwithstanding these allegations, there are both arguments and facts, which strongly oppose the conclusions to which they lead. If the danger which William incurred was obvious and threatening, the remedy proposed was precarious, and attended with new, and peculiar danger. The separation of Ireland from England was a certain consequence of the rebellion there, if allowed to get head. The advantages which James would derive from the possession of Ireland, in any attempt to recover his throne, the facility with which he could animate the hopes and second the efforts of his friends in England, were circumstances which threatened the safety of William, and overbalanced any security he could expect from a standing army. We should certainly hold in derision the practice of the empiric, who recommended to his patient to cherish a



disease

A great number of proteſtants tranſported themſelves with their effects into England, and thoſe who remained, though profeſſing the ſtricteſt fidelity to James, were devoted to the inſults and rapine of furious banditti, and nothing but the undaunted reſolution of a few proteſtant towns prevented the univerſal ſubmiſſion of Ireland to the authority of James[35].

Thus hoſtilities, in Ireland, commenced under the aſpect and form of a religious war, between the Roman catholics and the proteſtants. James, by putting himſelf at the head of the Roman catholic army, plunged deeper into thoſe crimes by which he had forfeited the allegiance of England. Depending upon ſuch an army, whatever his private inclinations might be, he was brought under the neceſſity of proſecuting meaſures which would rivet in the breaſts of his proteſtant ſubjects, impreſſions of his irreclaimable hatred to their religion. He ſeemed to be only varying his efforts in purſuit of the ſame darling object, and endeavouring to enforce, by the ſword, that ſyſtem of ſuperſtition, to accompliſh which, by the influence of prerogative and the violation of eſtabliſhed laws, had been the ſtudy of his reign.

diſeaſe which was preying upon the vitals of his conſtitution, in order to enſure him againſt ſome ſudden and deadly malady, which, after all, was only contingent.

The duke of Leeds, in the courſe of converſation with lord Dartmouth, might be ready enough, upon ſcanty proof, to aſcribe the miſmanagement of affairs in Ireland to the advice of lord Halifax, whom he rivalled in the favour of the king; nor, ſuppoſing that lord Halifax had given ſuch advice to William, is it evident that he purſued it.

Though the king had not entertained a ſtrong prejudice againſt Clarendon, yet his being obnoxious to that party in Ireland who had the power in their hands, and who had made it an expreſs condition of their opening a treaty with William, that he ſhould not conſult Clarendon, ſufficiently account for that reſerve and diſtance with which he liſtened to all his offers of information and advice concerning the affairs of Ireland.

The only method William could employ to prevent the rebellion in Ireland, before he obtained ſupplies from parliament, was negociation. He did actually employ this method. Colonel Hamilton was recommended as a perſon the moſt fit to treat with Tyrconnel, and as worthy of entire confidence. He was ſent to Ireland to propoſe offers to Tyrconnel, which, it is probable, would have been accepted, but Hamilton proved treacherous, and adviſed him to hold Ireland for James. Maſter Temple, ſon of ſir William Temple, who had recommended colonel Hamilton to the king, was ſo deeply affected with the conſequences of the miſtake he had committed, that he put an end to his own life.

[35] Letter of Judge Keating to Sir William Temple.

The

The weak enthusiasm and ostentatious bigotry of James, after his arrival at St. Germains, counteracted those generous feelings which were at first excited by his misfortunes and degradation, and marred the energy of those resources of aid which he derived from the interposition of the French king. He devoted himself entirely to the conversation of the jesuits; he listened with implicit respect to their counsels, and seemed more ambitious to have his name enrolled as a member of their society, than to be restored to his throne. No prospect of honour or success could allure the candidate for military fame to fight under the banners of a commander, who seemed more fit to preside in a cloister, than in a camp [36]. At a time when two rival ministers contended for superiority, in the cabinet of Lewis, James, by imprudently attaching himself to one of them, provoked the resentment of the other, which occasioned the delay, and finally the diminution, of the articles of promised assistance [37].

James lands in Ireland.

Under these disadvantages, James arrived at Kingsale on the twelfth of March one thousand six hundred and eighty-nine. On his entrance into Dublin, he was met by the Roman catholic bishops and priests in their pontificals, bearing the host, which he adored as he walked in solemn procession to church, to offer up his thanks, according to the mode of his own religion. His first act of government in the city was to new-model the privy council, by dismissing the protestants, and admitting Roman catholics in their place.

29th April.

[36] The following extracts from a celebrated cotemporary author, are testimonies of the low estimation in which the character of James was held at Paris:—" D'abord il alla descendre aux grands jesuites, causa très long " temps auvec eux, & se les fit tous presenter. " La conversation finit par dire, qu'il etoit " de leur societé. Cela parut d'un très " mauvais gout." Memoirs de la Cour de France, par la Comtesse de Fayette, tom. ii. p. 117.

" Le depart du roi d'Angleterre pour " l'Irlande, ne laissa pas une grande esperance " au roi de le voir remonter sur le trone. Il " n'avoit pas été de long-temps en France, " sans que l'on le connut tel qu'il etoit; c'est-" a-dire, un homme enteté de sa religion, aban-" donné d'une maniere extraordinaire aux " jesuites. Ce n'eut pas été pourtant son " plus grand defaut a l'égard de la cour. " Mais il etoit foible, et supportoit plutôt ses " malheurs par insensibilité, que par courage, " quoiqu'il fut né avec une extreme valeur, " soutenue du mepris de la mort si commun " aux Anglois." Ibid. p. 148.

[37] Ibid. p. 128. Life of James, 1690—2.

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1689.

The parliament [illegible].

On the seventh of May the Irish parliament met, perfectly prepared to enter into the views of James. Lord Tyrconnel, together with the writs of summons, had addressed letters to all the electors, recommending the persons on whom the king wished their choice to fall. These recommendations had such influence, that a great majority of members returned were attached to the Roman catholic interest. In the upper house, out of sixty-nine protestant peers, only five; and out of twenty-two bishops, only four, had the resolution to attend their duty; while, by the [illegible] of attainders, and by new creations, the number of Roman catholic peers amounted to forty-two [38]. The king addressed his parliament in a speech, declaring his purpose to maintain liberty of conscience, and promising his consent to such laws as were for the good of the nation, the improvement of trade, and the relief of persons who had been injured by the act of settlement [39].

If the protestants had hitherto indulged any hopes of protection and justice, from the solemn and reiterated promises of king James, these hopes were entirely extinguished, by that clause of his speech, which referred to the relief of those who had been injured by the act of settlement. It was understood as a prelude to a total revolution of property.

Acts of settlement and explanation repealed.

The house of commons entered with impetuosity on the dispatch of a business, in the highest degree interesting and lucrative to themselves. After the right of the king had been recognized, a bill was brought in, for repealing the acts of settlement and explanation, and carried through with circumstances of precipitancy, puerility, and rudeness, equally derogatory to the dignity and justice of the house [40].

[38] M[illegible] of Ireland.

[39] Journal of the parliament of Dublin.

[40] The act of settlement passed soon after the restoration. [illegible] twenty, or [illegible] the [illegible] of all those persons who had been turned out of [illegible], among whom were [illegible] [illegible] by the execution [illegible] who had not [illegible] rebellion and other[illegible] by fair purchase [illegible] of their property. [illegible] explanation was [illegible] State [illegible] I. W. [illegible]

I

Who.

When the motion for the repeal of theſe acts was made, the whole houſe reſounded with huzzas; the bill was read a firſt and a ſecond time, and committed on the ſame day. It was moved, that the act of ſettlement ſhould be burnt by the hands of the common hangman: it was ſtyled a horrid and barbarous act; and they finally reſolved, that whoſoever alleged any thing contrary to this reſolution ſhould be deemed an enemy to his country [41].

The bill met with a full and animated diſcuſſion, in the houſe of lords, and the objections to it were ſtated with a preciſion and force, which could only have been ſlighted by the moſt hardened contempt of juſtice [42]. The repeal, in itſelf a mighty grievance, was to be carried into execution upon a plan the moſt unjuſt and oppreſſive. For though it was ordained, that there ſhould be an examination of the evidence, upon which perſons founded their claims for being reſtored to the poſſeſſion of their eſtates, yet this was to little purpoſe, while no penalty was enacted to overawe thoſe, who, without the ſhadow of right violently diſpoſſeſſed the preſent proprietors. No compenſation was aſſigned for improvements; no time allowed for the preſent poſſeſſors to remove their ſtock; as if it had been intended that it ſhould fall into the hands of the ſucceſſors, whoſe impetuous rapacity prevented the former from ſecuring the reverſion of effects which belonged to them, according to a fair interpretation of the act [43].

Oppreſſive conſequences of the repeal.

In order to extend the range of oppreſſion, and to render it ſtill more enormous, an act paſſed, "for puniſhment of waſte upon lands "reſtorable to proprietors." It required no effort of ingenuity in the new claimant, when the ejected proprietors were poſſeſſed of ſtock or money, to deviſe fictitious charges of waſte, equivalent to their whole remaining property [44].

Act for indemnifying the proprietors to be reſtored by it

To ſuch of his majeſty's catholic ſubjects as could plead no right to ancient property, an abundant ſource of proviſion was opened, by an

Act of forfeiture.

[41] Letter from Dublin. [42] Biſhop of Meath's Speech. [43] Ibid.
[44] Keating's Remonſtrance.

act of forfeiture, the most comprehensive and productive, for it ordained the confiscation of the estates, not only of such as were openly and directly engaged in opposition to James, but of all the persons who aided them, and who lived or corresponded with them. The estates of absent proprietors were vested in the king, and no exceptions made in favour of those who were under age, or detained in another country by sickness or unavoidable accident; and all suspected persons, who did not surrender themselves to trial before the tenth of August, were to be attainted. In consequence of these acts, two thousand four hundred persons were deprived of their estates; in which number were included fifty-five protestant peers, and eighty-three clergymen [45]. To prevent any mitigation of punishment by the interposition of the prerogative, and to remove the charge of personal tyranny, by pushing matters to an extremity of violence, it was enacted, that the king's pardon should be of no effect to any person described in the act of forfeiture, unless that pardon was enrolled before the first of November one thousand six hundred and eighty-nine. To shut up every channel by which the ignorant might be informed of danger, or the penitent encouraged to lay hold of that scanty reservation of mercy which was provided by the statute, it was declared treason to hold correspondence with any person engaged in rebellion [46].

Acts fatal to the protestant clergy.

The parliament, having provided inexhaustible revenues for themselves and their Roman catholic friends, next extended their generosity to the clergy of the Roman catholic faith. Treading in the footsteps of their sovereign, and professing to support liberty of conscience, they enacted laws which tended to extinguish the subsistence of the protestant clergy, and to deprive them of protection, in the exercise of their functions. Having repealed every statute which seemed to obstruct liberty of conscience, under the pretext of providing equally for the clergy of every sect, they enacted,

[45] King's State of Ireland. [46] Ibid.

that

that the tithes of the estates of Roman catholics should be paid to the clergy of their own persuasion. As by the repeal of the act of settlement, almost the whole landed property devolved upon the Roman catholics, so the whole revenue of the church was also transferred to their clergy. The repeal of an act of Charles the Second, which appropriated a certain sum out of the rents of houses for maintaining the city clergy, completed the spoil of the church, and accomplished the ruin of the protestant religion, as effectually as if it had been abolished by an act of parliament. Though the destruction of their ecclesiastical power must have been a necessary consequence of the forfeiture of their revenue, yet, in order to hasten its downfal, dissenters, of every denomination, were declared to be free from the jurisdiction of the protestant ecclesiastical courts[47].

Violent proceedings against the protestants.

The executive government caught the same spirit of oppression, which dictated the resolutions of parliament; and anticipated that severity, which it was their purpose to prescribe and ratify. Protestant churches were violently seized by the soldiers, and either put into the hands of Roman Catholics, for the performance of religious service according to their own forms; or turned into garrisons and barracks, for the accommodation of the army. Soldiers quartered upon protestants made waste of provisions, and treated the families in which they resided, with the most shocking rudeness and barbarity. Protections were granted upon the payment of heavy fees; but a renewal of them was required, as often as the officers of government in the district were changed; and they were frequently set aside, under the pretext of frivolous informalities. Oppressive frauds were daily committed against traders, whose ships, after exorbitant fees had been paid for clearance, were stopped, searched, and despoiled of the most valuable parts of their cargoes. Provisions and goods of every kind were rated at an arbitrary value, and the price of them after-

[47] Memoirs of Ireland.

wards

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1689.

Effects of the government of James in Ireland, upon the minds of the English.

wards paid in base coin, not worth above a thirtieth part of its nominal value[48].

The facts now recited are of importance, because they exhibit, more than any general description can do, the features and character of that government, over which James now presided, and may be supposed, in different views, to have operated to the security of the revolution in England.

1. These specimens of his government, during the short period that James swayed the sceptre in Ireland, served to display the inherent tyranny of his disposition, and the irreclaimable bigotry of his principles. In Ireland he was placed in a new state of probation, and under the immediate inspection of his English subjects: their eyes were intently fixed upon every motion of his conduct. By reversing the system of his policy, by a temperate use of power, by the impartial administration of justice, the affections of his late subjects might have been awakened, his past misconduct forgotten, confidence restored, and the hereditary dignity of his family maintained. But, instead of symptoms of reformation, the fleeting period of his government teems with fresh examples of personal weakness, and political misdemeanours: enthusiasm and bigotry, superstition and tyranny, mark his steps, and confirm the disgust and horror of his English subjects. Though it should be admitted, that James was not perfect master of his own actions in Ireland; that, in particular instances, he was over-ruled by the petulance of French counsellors, or the vehemence of Irish faction; yet the effects of his government were, in the highest degree, alarming to the people in England, over whom he wished to resume his dominion. Nor was it of consequence what the private inclinations of the king might be, while

[48] King's Appendix. James, after his arrival in Ireland, ordered a coinage of brass or copper money, and issued a proclamation enjoining all persons to receive it in payment for goods, under the severest penalties. It is said, that no less a sum than 965,000l. was issued of this coin. The oppression fell almost entirely upon the protestants; it was first paid to those who held commissions under the king, who were all Roman catholics. The protestants were obliged to part with their goods at their original value. The greatest part of the commercial body in Ireland were protestants, and, therefore, the base money run quickly into their pockets.

they

they were controlled and directed by influence, inflexibly hostile to the laws of a free and protestant state[49].

2. The assistance of French soldiers, and the predominant influence of French counsellors, placed James, while in Ireland, in a state of avowed enmity to his native country. His disavowal of French influence, at the commencement of his reign, had almost entirely abolished the suspicions and prejudices which had disturbed the minds of the people, upon the distant prospect of his succeeding to the throne. After he had lost credit for these declarations, their attachment began to decline, and the well known antipathy of the prince of Orange to France, more than all his other illustrious qualifications, recommended him to popular favour, and ensured the success of his expedition. The declaration of war against France, which was the consequence of his elevation to the throne, reconciled the hearts of many in England to a revolution in government, which they at first disliked. The friends of France, whoever they were, necessarily became the enemies of England. With regard to James and William, personally considered, the affections of many might remain in a state of neutrality, or fluctuation; but, considered in the relation in which they stood to the mortal enemies of England, all deliberation and suspense were at an end.

3. The unprecedented barbarity with which the protestants were treated by the united armies of James and France[50], the courage and

[49] In confutation of the apology for the conduct of James, ascribed to the influence of those who advised him, it may be observed, that certain arbitrary exertions of the prerogative, in opposition to the opinion and interest of his counsellors, indicated his innate temper and disposition.

While his parliament, obsequious to his commands, was yet sitting, he levied by his proclamation 20,000l. per month, for the space of three months, upon all chattels and personal estates; and he was much displeased because his power to do this, was called in question. He discovered great partiality in deciding upon matters of dispute between Roman catholics and protestants. He often broke faith with the latter, and was ungrateful to some of the protestant bishops and nobility, who had invariably adhered to his interest.

[50] The marshal Rosene, who commanded the French army under James, ordered all the inhabitants within thirty miles of Londonderry, not excepting children, the diseased, the

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and the perſeverance, with which they defended themſelves againſt ſuperior numbers, and ſuſtained unparalleled hardſhips, recommended them to general ſympathy and admiration. Their ſupplications, long diſregarded, became more clamorous and urgent, united the ſentiments of all parties in England, made a deep impreſſion upon the hearts of the people; and conſtrained the parliament, which had been long dilatory, to take vigorous and effectual meaſures for the relief of Ireland. Had James conducted himſelf there with moderation and impartiality, he might ſoon have become maſter of that kingdom; and would have contended, with great advantage, for the recovery of his authority in England, when perſonal diſappointments and political animoſities began to looſen the affections of the people from their new ſovereign. But the outrageous violation of juſtice ſtamped upon every meaſure of the Iriſh parliament, the examples of bigotry and of an arbitrary ſpirit, flowing from the ſpontaneous inclination of the king, and, above all, the enormous cruelties, perpetrated by the Iriſh army, inſpired a general horror at the apprehenſion of his return, and animated the exertions of all parties to drive him from the vicinity of England.

Marſhal Schomberg ſent to Ireland.

The neglect and miſmanagement of the affairs of Ireland had furniſhed conſtant topics of declamation againſt the king's miniſters, during the exiſtence of the convention parliament. After unaccountable delays, marſhal Schomberg ſailed from England in Auguſt one thouſand ſix hundred and eighty-nine, with about ten thouſand men, for the relief of Ireland. The neglect and treachery of agents, hitherto complained of, were ſtill conſpicuous in the deficiency of carriages, proviſions, and every accommodation for the field. The

the aged, and women with child, to be collected and driven before the walls of Londonderry, where they remained without food many days. Theſe amounted to the number of four, ſome authors ſay, of ſeven thouſand. Several hundreds periſhed through hunger and cold on the ſpot; and thoſe who returned home, ſoon met with the ſame fate, their houſes and all the country round being plundered. Orders were iſſued for deſtroying the houſes and mills, not only of thoſe who were in actual rebellion, but of all their relations and friends. King's State of Ireland.

want

want of difcipline in the Irifh troops, the indolence, difobedience, and extortion, of officers, and the great fuperiority of the enemy, obliged Schomberg to purfue the plan of a cautious and defenfive war, and expofed him to unmerited reproach. Difeafe, the confequence of bad provifions, fwept away a great proportion of the Englifh army during the winter[51]. All thefe circumftances determined king William to put himfelf at the head of the army in Ireland. He arrived there on the fourteenth of June, one thoufand fix hundred and ninety; and embraced the firft opportunity after his arrival, of engaging the enemy. By a complete victory at the Boyne, on the firft of July, one thoufand fix hundred and ninety, he turned the tide of fuccefs in favour of the proteftants[52].

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William goes there,

and gains a complete victory.

James, with that precipitate defpair which marked his character, abandoned his friends in Ireland. The complete reduction of that kingdom was a tedious and difficult work. The obftinate bravery of the Roman catholic nobility, feconded by the fkill of the French officers, protracted the Irifh war till the furrender of Limerick, on the third of October, one thoufand fix hundred and ninety-one.

[51] Schomberg's Letter to William, Dalrymple, Ap. part ii. p. 43. When William went to Ireland, his army confifted of thirty-fix thoufand men, including Englifh, French, and Germans.

[52] Story, p. 78.

## CHAP. XIII.

*A Sefſion of Parliament.—Addreſſes of both Houſes to the King and Queen.—Unanimity of the Commons—Cauſes of this.—A Queſtion, whether the Royal Pardon bars Impeachment, moved in the Houſe of Lords.—Declaratory Act concerning the Power of the Commiſſioners of the Admiralty.—Supplies.—Bill for appointing Commiſſioners of Public Accounts—for raiſing Money for the public Service out of the forfeited Eſtates.—Parliament adjourned.—Obſervations upon the Interference of England in the Affairs of the Continent.—Merit of William in forming the Grand Alliance.—He attends the Congreſs at the Hague—returns to England—goes back to Holland—takes the Command of the Army.—Short View of Campaigns* 1690 *and* 1691.*—Cauſes of Change in the Sentiments and Temper of the People, and Parties in England.—The Reduction of Ireland.—Great Expence—and ill Succeſs of the War.—Jealouſy of the King's Partiality to the Dutch.—Unfavourable Views of the Conditions upon which the confederate Powers had united—and of their Strength.—Loſſes ſuſtained by the trading Part of the Nation.—Diſaffection of many of the Members of the Church.—Third Seſſion of the ſecond Parliament.—Backwardneſs of the Commons in granting Supplies—their Ill-humour.—Supplies granted.—Inquiry concerning the Inactivity of the Fleet.—Bills to check Abuſes in the Revenue and public Offices.—The Influence of the Tories augmented by a farther Change of Miniſtry in their Favour.*

CHAP. XIII. 1690. A ſeſſion of parliament.

ANOTHER ſeſſion of the ſecond parliament of William was opened on the ſecond of October one thouſand ſix hundred and ninety. The king mentioned his ſucceſs in having reduced Ireland to ſuch a condition as to be no longer a charge to England; he hinted at the deficiency of the ſupplies, by praiſing his army for having patiently endured great hardſhips with little pay; he expreſſed his zeal for the public good, by ſubjecting his revenue to the expences of the war; and he alluded to a late alarm, occaſioned by the

the French fleet upon the coast of England, in order to excite them to grant liberal supplies. He prepared them for extensive demands, by reminding them of large arrears due to the army, and the supplies necessary for its future maintenance, and that of the navy, neither of which could admit of any reduction. He represented the whole success of the confederate army as depending upon the speed and vigour of the measures taken by them. The affections of the people, displayed by their ready services while the French fleet was upon their coast, and in the course of his late expedition, he considered as a happy omen of the temper of their representatives. He expressed a deep concern for the misconduct of the fleet, and a desire of seeing the honour of the nation vindicated, by the exemplary punishment of the guilty [1].

Addresses of both houses to the king and queen.

Both houses testified great satisfaction with his majesty's speech, and agreed upon presenting separate addresses to the king and queen. Their addresses to the king were full of congratulations upon his success in Ireland, of assurances to assist him, and to support the government against all his enemies. To the queen, their addresses were expressed in terms of the most flattering applause: by her prudent administration internal peace and quiet had been maintained, while the nation was threatened with the invasion of a powerful enemy; and, by her exemplary composure, amidst alarming dangers, she had sustained the courage of her subjects, and animated them to the most spirited and successful exertions [2].

[1] The French fleet appeared on the coast of England 20th June 1690, before that of England was prepared to receive it. Lord Torrington, the commander, not being a match for the French, returned to Portsmouth to obtain a reinforcement of men and ships. Great was the alarm of the nation; a conspiracy of the jacobites was suspected. The queen, after advising with the navy board, sent orders to Torrington to engage the French. He engaged them accordingly off Beachy-head, on the 30th of June, and, after having sustained considerable loss, was forced to retreat. The English lost two ships. Three Dutch ships of the line were sunk during the engagement, and they were obliged to set fire to three more, to prevent their falling into the hands of the enemy. Many brave officers and seamen fell in the engagement.

[2] Journ. Lords, 6th, 7th, and Journ. Commons, 8th October.

No

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1690.

Unanimity of the commons.

Causes of this.

No session of parliament, in the course of this reign, discovered greater unanimity, loyalty, and liberality, than that which now comes under our observation[3]. The decided superiority of the tories over the whigs, in all their conflicts during the preceding session, had damped the spirit of enterprise in the latter, and suggested to them the wiser policy of endeavouring to regain power by concession and complaisance, rather than by open and violent opposition to the measures of the court. A considerable proportion of offices were still left in their hands, and some incidents encouraged them to hope, that, by a gentle and natural progression, their influence in the cabinet might again prevail, and be established. Lord Godolphin, who now began to associate with the leaders of the whigs, was placed at the head of the treasury, in the room of sir James Lowther. Sir John Somers held the office of solicitor general, and, by his abilities and virtues, was every day gaining upon the confidence of the king. The whigs had lately augmented their stock of merit, and strengthened their claims to royal favour, by the readiness and liberality with which they had subscribed to the public supplies, while their antagonists, preferred to them in trust and office, discovered either want of confidence in the stability of the present government, or want of attachment to it, by being averse to trust their properties in the funds[4]. They enjoyed also a splendid triumph, by still maintaining superior influence in the city of London, notwithstanding the popular and powerful engines which the tories employed to wrest it out of their hands, by restoring the charter of the city, and dispensing the favours of the court. The office of mayor, the most honourable, and that of chamberlain, the most lucrative in the city, were filled by Pilkington and Robison, both distinguished partisans of the whigs. Galled by this disappointment, the tories in the common council addressed the commons in a petition, representing that the election of Pilkington and Robison had

[3] Letter of Burnet to Mr. Johnson, 14th October 1690.

[4] Ralph, vol. ii.

been effected by violence, and illegally maintained againſt ſome of their own friends, who had a majority of votes in their intereſt. This petition did not meet with any countenance from the court, and, while the neglect of it by the commons was interpreted as a grateful acknowledgment of the recent ſervices of the whigs, it was, at the ſame time, conſidered as a prelude to their return to favour and power[5].

The panic, which pervaded the nation upon the immediate proſpect of an invaſion, if it did not unite parties in affection, at leaſt promoted external tranquillity, by inducing them to ſuſpend their animoſities, and to concur in the moſt effectual meaſures for ſupporting government; nor does it ſeem probable, that the ſame unanimity would have been obtained, if the whigs at that time had engroſſed the chief offices of power. The tories, by entering into adminiſtration, became bound, by the ties of intereſt as well as of honour, to ſupport a government, to which, perhaps, they were but feebly attached by principle or affection. The whigs, though depreſſed in political influence, and diſaffected to the principal members of adminiſtration, ſtill maintained a ſupreme reſpect for that ſettlement which they had erected in conformity to their principles, and they did not chooſe to weaken it by a contentious oppoſition to the men whom they diſliked.

A queſtion whether the royal pardon bars impeachment, moved in the houſe of lords.

The few topics of diſpute, and the diviſions which attended them, in the courſe of this ſeſſion, proceeded from perſonal animoſity, rather than from the prejudices, or concerted ſcheme, of any party. The great ſhare of influence which the marquis of Carmarthen poſſeſſed, both under the former and preſent adminiſtration, was offenſive to every party, and awakened the remembrance of demerit, which had been ſcreened from public reſentment by an unprecedented ſtretch of the prerogative. Under this impreſſion a queſtion was moved in the houſe of lords, Whether impeachments

[5] Journ. Commons, 11th December.

were

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were extinguished by an act of grace? A committee was appointed to inspect the journals for precedents; and, though none contained in their report could be applied, with strict propriety, to the case of the marquis, a warm debate ensued. The design of his enemies was defeated, and the question eventually decided in his favour, by the house having consented, while it was yet depending, to release from their bail the earls of Salisbury and Peterborough; who, upon the same principles which applied to the case before them, must have been excluded from the benefit of the indemnity; because they lay under an impeachment, for having been reconciled to the church of Rome [6].

Declaratory act concerning the power of the commissioners of the admiralty.

The defeat of the united fleets of England and Holland, was a source of great mortification to the king, and drew his severest displeasure upon lord Torrington, who had been examined by the privy council, and committed to the Tower, before the meeting of parliament. To pave the way for his trial by a court martial, which was reckoned a more expeditious and effectual method of proceeding against him, than an impeachment by the commons, a declaratory act was passed, to remove any doubt, with respect to the power of the commissioners of the admiralty to appoint a court martial [7].

Supplies.

Four millions were voted for the service of the army and navy; the largest sum that ever had been granted to a king of England. Twenty-seven new ships were added to the navy; seventeen of them of eighty guns, and ten of sixty [8]. For the honour of the tories, it may be observed, that they were diligent in contriving measures to chastise and correct the abuses committed in the management of the

[6] Journ. Lords, 9th, 30th October.

[7] Journ. Lords, 30th October, and Commons, 30th October, 7th November. Lord Torrington was unanimously acquitted by a court martial. All the admirals who served under him were of opinion, that they were too weak to engage the French fleet, which consisted of twenty ships more than the English and Dutch. In the engagement he had ventured as far as he could do, without exposing the whole fleet to imminent danger. He nevertheless fell under the displeasure of the king; a remarkable evidence of his partiality to the Dutch, whose fleet was most exposed, and suffered most.

[8] Journ. Commons, 24th December.



public

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public revenue, which had now arisen to the most enormous pitch. A committee was appointed to examine and consider all the estimates and accounts relating to the army, the navy, and the treasury; and a bill was introduced to appoint commissioners for the same purpose, which passed also in the house of lords, with an amendment[9]. To relieve the nation in part, from those heavy burdens which were the consequence of the war, a bill was brought in for raising one million out of the forfeited estates in Ireland. The many difficulties arising from the complicated claims of creditors and heirs who had been faithful to government, as well as the inclinations of the king, who wished to subdue, by generosity, the affections of the Irish rebels, and to reward the distinguished services of his friends, out of these estates, all concurred to obstruct the progress of this bill, and to prevent its passing before the end of the session. The king, impatient to visit the continent, where the most important transactions required his advice and influence, expressed his desire that parliament should adjourn on the fifth of January one thousand six hundred and ninety-one.

Bill for appointing commissioners of public accounts. 25th October. 26th December

For raising money for the public service out of the forfeited estates. 17th October.

Parliament adjourned.

A new and more extensive scene of political history now opens to our view. The connexion formed between England and Holland, in consequence of the revolution, deeply involved the former in continental alliances and transactions, which have produced the most important and permanent change in the political state of the British empire. The view of obtaining the accession of England to the grand confederacy may fairly be considered, as the chief motive which induced the prince of Orange, to enter into a correspondence with the leaders of opposition to the arbitrary measures of the court, and afterwards to embark in the plan of changing the government. No sooner was he seated on the throne of England, than he turned

1691. Observations upon the interference of England in the affairs of the continent.

[9] It was moved in the house of lords, that, as the commons had named none but members of their own house, the lords should add some of their own number. This was accordingly done by ballot; but none of the lords to whom the appointment fell would agree to accept. Tindal, vol. ii. p. 113.

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his attention to the direćting that grand alliance, which was formed under his wife and animating counfels. The deep interference of William, as king of England, in the political tranfaćtions of the continent, was neither repugnant to the inclinations, nor inconfiftent with the true interefts, of his fubjećts at that period. Whether this interference, on the whole, has not been highly pernicious to their pofterity, by introducing a fyftem of politics, which in many inftances has been purfued to excefs, and with unaccountable extravagance, is a queftion foreign to the fubjećt of this hiftory.

Merit of William in forming the grand alliance.

The prince of Orange, infpired with an early indignation at the ambitious views of Lewis, devoted all his talents and application to thwart them, and to prevent the miferies which were impending, not only over his native country, but over all Europe. No offers of perfonal aggrandifement made by Lewis could fhake the firm purpofe of his mind, to oppofe the ambition and humble the pride of that monarch. If this refolution was an evidence of his courage and patriotifm, fo the meafures by which he endeavoured to carry it into effećt, afforded a ftriking example of his fagacity, in comprehending the political interefts of Europe, and penetrating into the charaćters of individuals. He opened the eyes of furrounding princes to a true fenfe of their intereft: he impreffed them with a lively apprehenfion of remote dangers: he feparated, from the alliance of France, the powers who had been attached to her by ancient and hereditary connexions: he reconciled ftates hoftile to each other: he afcended at laft, by his talents and perfeverance, to the uncontrolled and abfolute direćtion of the political fyftem of the continent. His fuccefs in accomplifhing the revolution in England, however glorious to himfelf, and important to the Englifh nation, ftill yielded to the fame, the dignity, the extenfive ufefulnefs which he acquired, by affociating, inciting, and direćting that powerful confederacy, which curbed the ambition of Lewis, and maintained the independence of Europe. The former of thefe events, indeed, differs from the latter,

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as a part from the whole. The deliverance of England, interesting as it was in itself, became still more extensively beneficial, and more illustriously meritorious, as it augmented the strength of the grand alliance; and essentially contributed to its success.

He attends the congress at the Hague.

A few days after the parliament was prorogued, William embarked for Holland, to meet the congress of the allies, and to concert plans for the accomplishing the object of their union. On the first of February he made his entrance into the Hague, with circumstances of external splendour and magnificence, which rather deviated from his habitual simplicity and reserve [10]. He attended the assemblies of the States General, of the States of Holland, and the Council of State; and, in his several speeches to them, he gave an account of his past success, and of his future views; and professed a zealous attachment to the welfare of the republic. He next attended the diet of the congress, wherein he represented the formidable condition of France, which could be resisted only by cordial union, strong armies, and vigorous measures. The quotas of troops to be furnished by the several confederate States were specified; and the operations of the campaign determined [11]. After the king had visited the army at Hall, and appointed the general officers, he returned to England, where he was employed, for a short interval, in giving instructions concerning the fleet, the conduct of the war in Ireland, and the appointment of proper persons for supplying the bishoprics which had become vacant, in consequence of the late incumbents having refused to take the oaths to government. On the second of May, he returned again to Holland, to assume the command of the confederate army. The plan of this work does not admit of a minute detail of military operations: it is however necessary to remind the reader of their coincidence in point of time, and their concurring influence with those political measures which are the chief object of my inquiry.

13th April. Returns to England.

Goes back to Holland, and takes the command of the army.

[10] Monthly Mercury, March 1691.

[11] Ibid.



The

CHAP. XIII.

1691.

Short view of campaigns 1690-1.

August.

July.

The balance of ſucceſs in the campaign of one thouſand ſix hundred and ninety had been againſt the allies. The duke of Savoy had raſhly engaged the French army at Saluſſes, under the command of marſhal Catinat, and was defeated; after which, ſeveral towns in Italy fell into the hands of the latter. In Flanders, the allied army ſuſtained a prodigious ſhock, in the battle of Flerus, in which four thouſand men were killed, and as many made priſoners by the French [12].

The preſence of William, in the campaign one thouſand ſix hundred and ninety-one, did not produce any change of fortune in favour of the confederates. Succeſs ſtill attended the French arms almoſt in every ſcene of the war. The king of France opened the campaign in Flanders with the ſiege of Mons; and, by his ſucceſs in reducing it, gratified his own vanity, and raiſed the ſpirits of his troops. At the commencement of the campaign, the duke of Luxembourg, the French general, made himſelf maſter of Hall, a place which the confederates had ſtrongly fortified; and afterwards he dexterouſly eluded every invitation and artifice of king William, at the head of a ſuperior army, to bring on a general engagement. After the king left the army, Luxembourg made an unexpected attack upon the confederates commanded by the prince of Weldeck, and cut off a thouſand of their men at Leuſe. In Italy, Villa Franca, and the forts of Saint Auſpice and Mont Alban, ſurrendered, without reſiſtance, to a detached party under Catinat. The inhabitants of Nice, in oppoſition to the remonſtrances of the governor, admitted the French troops into the city, and afterwards obliged the caſtle to capitulate. Villena, Carmagnola, and other places of inferior ſtrength, ſoon ſhared the ſame fate, and ſurrendered to the enemy. The duke of Schomberg retrieved, in ſome meaſure, the honour of the confederate arms in Italy, by driving the French troops from Turin and Coni. At the laſt of theſe places, the French are ſaid

March.

April.

May.

Sept.

March.

March.

July.

July.

[12] Life of William, vol. ii. Hiſt. de France, tom. iii.

to

CHAP. XIII. 1690. October. Dec.

to have loft three thoufand men. Carmagnola was alfo retaken by prince Eugene. The caftle of Mount Melian furrendered to Catinat, after ftanding a fiege of two months. None of the allies fuftained greater difgrace and injury than the king of Spain. The duke de Noailles, with an army inferior to the befieged, obliged Urgel, in Catalonia, to furrender at difcretion, made prifoners of all the troops that defended it, and afterwards made incurfions into Arragon. Marfhal d'Eftrees bombarded Barcelona, fet fire to feveral places in the town, and deftroyed the arfenal and ftorehoufes. No material fuccefs diftinguifhed either of the armies upon the Rhine. In Hungary only, a quarter in which England and the reft of the confederates were leaft concerned, the arms of the emperor proved fuccefsful. He attacked the Turks in their camp, which he took, with all their cannon, and a great part of their army. He afterwards laid fiege to Great Waradin, which furrendered, after a blockade of feveral months. Some thoufands of foldiers, and many officers of rank, were cut off in both armies during the campaign, by a violent, contagious difeafe. The allies, efpecially the emperor, fuftained a great lofs in the death of the elector of Saxony [13].

1691. June. July. 1692.

Caufes of change in the fentiments and temper of the people and parties in England. The reduction of Ireland.

In the interval between the fecond and third feffion of this parliament, feveral events occurred, which produced a confiderable change in political affairs, and in the fentiments and temper of parties in general. So long as Ireland continued in a ftate of rebellion, the revolution, and all the benefits which England derived from it, feemed to reft upon a feeble and tottering bafis. Upon the death of William, or the occurrence of any internal commotion in England, a powerful army in the neighbouring kingdom, devoted to the ancient royal family, and reinforced by the aid of France, would have found little difficulty in reftoring the fcepter to James; an event, thought of with horror by all thofe who had taken an active part in depofing him. Under thefe apprehenfions, the re-

[13] Life of William. Hiftoire de France, tom. iii.

duction

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duction of Ireland appeared essential to complete and secure the revolution in England, and, after a short pause, was prosecuted by all parties with cheerfulness and liberality. When this cause of national fear was removed, parties began to resume their ancient animosities, and to confound the public interest with private views of resentment and ambition[14]. Some, who thought their services had not been sufficiently rewarded by the king, as well as others who had been entirely neglected by him, watched every opportunity to work upon the jealousy of the nation, by bringing discredit upon his character, and the measures of his government. The expeditious termination of the Irish war appeared to the king an object of such moment, not only upon account of the internal security of England, but the success of the foreign war, that he had instructed his generals, after the battle of the Boyne, to encourage the rebels to lay down their arms, by offering them the most favourable terms, rather than to risk the dangers and expence of another campaign. Hence the indulgences granted to the Roman catholics upon the surrender of Limerick, perhaps not less wise than liberal, were maliciously seized upon, to impeach the prudence and justice of William, and to alienate the confidence of his protestant subjects. The confirmation of their property to such a comprehensive description of the Roman catholics as were included in the terms of the peace, was a grievous disappointment to many, whose imaginations had rioted in the spoils and estates of the Irish rebels. A more colourable, and disinterested objection to this article, was founded upon its withholding that proportion of supply arising from forfeitures, which patriotic œconomy had destined to alleviate the heavy burdens laid upon England for defraying the expences of the war[15].

5th October, 1691.

Great expence

The expence of a foreign war, overlooked and under-rated in the precipitancy with which the nation had rushed into it, from the

[14] Burnet, 1691.

[15] Higgons' Short View. See chap. xviii.



recent

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recent impreffions of gratitude to their deliverer, was now found to fwell, out of all proportion, to the value of any acquifitions which could be expected from its moft fortunate conclufion. The fuccefs of the French fleet, mortifying in an extreme degree to England, had firft alarmed, and afterwards left a depreffion upon the fpirits of the nation. By that event, it was faid, the eyes of the king and his minifters might be opened to difcern their paft errors, and inftructed with refpect to the proper plan of conducting the war in future, fo long as England lay under the neceffity of continuing it. Inftead of tranfporting armies beyond fea, and maintaining them at an immenfe expence in a foreign camp, the navy, the natural ftrength and bulwark of England, ought to be augmented, and the principal exertions of the nation confined to the fea. By this plan, expence would be diminifhed, trade would be protected, and the money, expended in the war, would return and circulate among the people from whom it originally flowed [16].

and ill fuccefs of the war.

But, above all, that jealoufy of the Dutch, which commenced with the acceffion of William to the throne, was infidioufly cherifhed, not only by the difappointed, but by fuccefsful candidates for power, and difpofed the people to liften with too much avidity to every complaint and mifreprefentation, calculated to gratify its malignant fpirit, and to increafe difaffection to the king and his minifters. It was ungeneroufly infinuated, that, having lately begun to vie with the States in the extenfion of their commerce, the Englifh had been feduced into the war by the king, on purpofe to interrupt their profperous career, and to eftablifh the Dutch in a permanent and unrivalled fuperiority [17]. With more regard to candour

Jealoufy of the king's partiality to the Dutch.

[16] The tonnage of Englifh fhipping at the revolution amounted to 190,533, which, at the rate of twelve mariners to every 200 tons, required only 11,432 failors. This may account for the difficulty king William found in manning the fleet, and is an apology for his laying the ftrefs upon a land war. Chalmers' Eftimate of the comparative Strength of England, p. 57. There is no doubt, that the number of men in the Englifh fleet during the war amounted fometimes to 30,000 or 40,000, from which we are led to infer, that the fleet muft have been manned with landmen in the proportion of two or three to one.

[17] Caveat againft Whigs. Great Britain's juft Complaint.

and

CHAP. VIII. 1691.

and to truth, it was obſerved, that the war, ſhould it even anſwer the moſt ſanguine expectations of thoſe who approved it, muſt principally redound to the benefit of the States. While ſelf-defence conſtrained them to reſiſt the uſurpations of the French king, it was alſo obvious, that ſucceſs would enable them to enlarge and fortify their frontiers, and more effectually ſecure their future independence; whereas, upon the part of Britain, it appeared a romantic and far-ſighted providence, to launch into an expenſive war, becauſe ſhe might herſelf one day be marked out as an appendage to the overgrown empire of France. If ſuch cautious and prophetic policy were to be generally adopted, the contagion of war would ſubmit to no limitation, or reſtraint, and the frivolous quarrels of petty ſtates would embroil ſurrounding kingdoms, and be held a ſufficient cauſe for ſetting the world in flames [18].

Unfavourable views of the conditions upon which the confederate powers had united,

The articles agreed upon by the confederate princes of the Congreſs, over which William preſided, furniſhed new grounds of oppoſition to the war, and the means neceſſary for carrying it on. To perſons, unacquainted with the refinement and myſtery of political ſchemes, it appeared a contradiction to the ſpirit of the revolution, and the principles which William had always profeſſed, to find him ſolemnly bound with Roman catholic princes, to join their forces and powers againſt Lewis, till he ſhould make reparation to the holy ſee for whatſoever he had acted againſt it, and till he had annulled all his infamous proceedings againſt Innocent XI. [19] Other articles, agreed to at the Congreſs, ſeemed officiouſly to interfere with the internal policy of France, and to be ſo affronting to the dignity, and ſo intruſive upon the prerogatives of Lewis, to which his people were attached by the ſtrongeſt affection, that they never could be expected to ſubmit to them, unleſs they were reduced to extreme weakneſs and deſpair [20].

The

[18] Warrington. [19] Article 1.

[20] The confederate powers were ſolemnly bound not to make peace with Lewis till he had reſtored the proteſtants to their poſſeſſions, and granted entire liberty of conſcience throughout his dominions. Article 3. Till the eſtates of France were re-eſtabliſhed in their ancient liberties; till the parliaments were

The events of the war in the courſe of two campaigns, if they did not afford ſtrong arguments for deſpairing of final ſucceſs, yet entirely overthrew thoſe high expectations which had encouraged the nation to enter into it.

and of their ſtrength.

A variety of objections were circulated, to contradict the favourable opinions which the people had entertained concerning the force of the confederacy, and the characters of its members. The wavering affections and mercenary views of ſome of the allied princes, the jarring intereſts of the courts to which they belonged, the different languages, habits, and diſcipline of the united armies, and the competitions of their commanders, reduced the actual ſtrength of the confederacy far below the computed ſtandard of the parties concerned, and rendered their common ſucceſs extremely precarious and remote. The bigotry of the Roman catholic princes, whatever their profeſſions might be, made them, in reality, but little intereſted about the accompliſhment of thoſe objects, which more directly referred to the ſecurity of the proteſtant religion, and the detached intereſt of proteſtant ſtates. None of the confederates, except the Engliſh, had kept faith with reſpect to the proportion of troops they were bound to furniſh, and the time of their entering upon action.

Loſſes ſuſtained by the trading part of the nation.

The embargo laid upon ſhips, and the neceſſary expedient of preſſing men into the ſervice of the navy, were found, not only to be injurious to the mercantile intereſts, but productive of inconveniences, which exhauſted the patience of the great body of the people who ſurrounded the ſeat of government. The article of coals in particular became ſo ſcarce and dear in the London market, that it was found neceſſary to iſſue a proclamation to exempt all ſeamen employed in the coal trade, from the ſervice of the navy.

20th July

were reſtored to their rightful authority; and till all the towns were re-eſtabliſhed in their privileges. Articles iv. vi. vii. But what appeared to be ſtill a more vague and impertinent reſolution, they were bound to continue the war till the tax upon ſalt, and other unreaſonable taxes and impoſitions, were aboliſhed for ever. Article v.

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No effectual ſervices had been performed by the fleet to balance the misfortunes of individuals, and to flatter the pride of the nation. Examples of corruption, extravagance, and peculation, brought to light by the commiſſioners of accounts, rouſed the indignation of the people, and ſpread a diſtruſt and ſuſpicion of every department of government. It was found in particular, that the charges for the Engliſh troops exceeded the nominal muſter, and that even this muſter fell ſhort of the complement of men voted by parliament. It appeared that ſome of the moſt lucrative places were rendered ſtill more ſo, by an unaccountable exaction of fees, and the ſale of offices annexed to their patronage [11].

Diſaffection of many of the members of the church.

Beſides theſe meaſures and misfortunes, which were the occaſion of general diſcontent, there were offences, which affected particular orders and parties of men, and looſened their attachment to the court and government. The narrow prejudices and jealous bigotry, of many leading members of the church, co-operated, with other cauſes, to ſpread in the nation a temper injurious to the reputation and authority of the king [12]. His fond deſire of extending religious liberty was repreſented as an evidence of a latent averſion to the eſtabliſhed church, aggravated by ingratitude to a claſs of men, whoſe reſiſtance to arbitrary power had prepared the way for his acceſſion to the throne. William not only endured the peeviſhneſs and diſaffection of ſome of the biſhops, with unexampled patience and moderation, but even purſued meaſures, hardly conſiſtent with his perſonal ſafety, in order to reconcile their affections, and to ſcreen them from the chaſtiſement of that government which they daily inſulted. He had ſtruggled, as we have ſeen, with his miniſtry, to introduce a clauſe in the oath bill, for exempting the biſhops from obligations of which their conſciences did not approve. Unſucceſsful in this attempt, he obtained authority from parliament

[11] Journ. Commons, October, November, 1690.

[12] Inquiry into the Cauſes of the preſent Diſaſters. State Papers. T. W. vol. ii. p. 96, 97.

to

to bestow a modified provision, out of the funds of the bishopricks, upon those, who were restrained from exercising the duties of their functions by the scruples of a tender conscience. When the time allowed for taking the oaths to government had expired, he discovered the most anxious desire to suspend the execution of the law, and for this purpose lord Rochester and sir John Trevor, who had the confidence of the disaffected bishops, were employed to converse with them, and to obtain information, whether they would consent to live peaceably, and to discharge the functions of their office, provided that an indulgence could be obtained from the parliament. They continued sullen, obstinate, and unmoved, either by the experience of forbearance, or the hope of future favour[23]. Many months had now elapsed since they had become liable to the penalties of the law. Order, decency, and the interests of religion, might well have justified a rigorous execution of it, when an event occurred which rendered lenity dangerous, and severity indispensible. A conspiracy was discovered, with strong circumstances of suspicion, that some of the clergy, who had not taken the oaths, were accessary to it[24]. The authority of their office, and their sacred character, gave them advantages over the prejudices and the consciences of the people, extremely hurtful to the established government; five of them, therefore, were at last deprived of their offices, in terms of the act of parliament.

1st February.

This event may be considered as productive of a new influence, which had permanent effects on the political transactions of England,

[23] Burnet, 1691.

[24] Lord Preston, Mr. Ashton, and Mr. Elliot, were selected by the friends of James, to go over to France, and to concert measures for his restoration, which was thought easily practicable during the absence of William. Having hired a vessel to the coast of France, the owner of it gave notice to the court 30th December 1690. The vessel was permitted to sail, and afterwards boarded, under pretext of searching for seamen. The papers and letters found in Ashton's possession, discovered that a plot had been carrying on for the restoration of James, and that some of the bishops, clergy, and many of the nobility, were concerned in it. Lord Preston, Mr. Ashton, and Mr. Elliot were tried, and the two former condemned. Preston was executed, Mr. Ashton pardoned; there was not sufficient evidence to convict Elliot.

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land, and upon the arrangement and ſtrength of parties during this and the ſucceeding reign. Several of the biſhops, and a great number of the diſaffected clergy, hitherto wavering and undetermined, were, from this period, fixed in oppoſition to the revolution and the act of ſettlement. A numerous body of the people, who venerated their character, and ſubmitted implicitly to their opinions, improperly confounded their intereſt with that of the religious eſtabliſhment, and conſidered the perſonal degradation of ſo many reſpectable prelates as an alarming preſage of the danger, and approaching ruin of the church[25]. A controverſial war ſoon commenced between thoſe of the clergy who were deprived, and thoſe who continued in office. The former accuſed the civil government of a ſacrilegious invading the rights of the eccleſiaſtical juriſdiction; an uſurpation more preſumptuous, and more injurious to religion, than any meaſure imputed to the abdicated king. While the acrimony and perſonal invectives, which both parties adopted in the courſe of their diſputes[26], weakened the reſpect due to the ſacred character, and gave a deep wound to the intereſts of religion; in the deprived clergy and their adherents, the members in oppoſition always found a ſtrong party, ready to forward their ſchemes of perplexing and thwarting the meaſures of government.

From the various cauſes now explained, diſcontent began to ſpread over the nation; but did not attain to ſuch force as to occaſion any material obſtruction to the political deſigns of the court. It was the cauſe of delaying, not of defeating the grant of ſupplies, in the next ſeſſion of parliament. Somewhat of the temper of the nation was then diſcovered in the courſe of every debate; from which it became evident, that, in proportion as the war was prolonged or unſucceſsful, the number and influence of its friends would decline.

[25] Warrington's Speech againſt arbitrary Power.

[26] The aſperity with which the meaſures of government were attacked by the ſuffering party, occaſioned a proclamation, 9th April, againſt ſeditious diſcourſes and libels.

The

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Third session of the second parliament.

The parliament, after ſeveral adjournments, met on the twenty-ſecond of October. His majeſty called their attention to the ſucceſs of his arms in Ireland, as an earneſt of his future ſucceſs in proſecuting the war with France. He recommended to them to diſcharge the arrears due to the army, which had reduced Ireland; and to provide a ſtrong fleet and army, both for defenſive and offenſive war.

Backwardneſs of the commons in granting ſupplies.

The commons agreed that a ſupply ſhould be granted, for carrying on a vigorous war againſt France; but, notwithſtanding this ſeeming forwardneſs to gratify his majeſty, ſeveral weeks were conſumed in diſputes about the liſts of the army, and other preliminary points; and it was not till the fourth of January one thouſand ſix hundred and ninety-two, that they reſolved upon the ſum of one million nine hnndred and thirty-five thouſand ſeven hundred and eighty-ſeven pounds, as neceſſary for maintaining the land forces during that year. In the courſe of the debates concerning the ſupply, every opportunity was embraced by the party in oppoſition, to expreſs their reluctance to any augmentation of the army[27]. The expence of a foreign war was grievouſly complained of, and it was aſſerted, that the pay of the army alone amounted to one half of the current caſh of the nation: that the war with France, if unſucceſsful, muſt bring immediate and irretrievable ruin upon Britain; and that no victories or acquiſitions, though correſponding to the moſt ſanguine expectations of the court, could poſſibly indemnify the nation for the immenſe waſte of blood and treaſure, by which they were to be purchaſed. The reſpect, due to the dignity and character of the king, was often violated by the party which eſpouſed theſe ſentiments. His paſſion for a ſtanding army was imputed to other motives, than merely that of circumſcribing the power of France; and it was inſi-

Their ill humour.

[27] After the number of troops had been agreed upon, it was contended, that officers ſhould be underſtood as included; though lord Ranelagh, the pay-maſter, aſſured the houſe, that they were provided for in the eſtimates of the ſupplies. Grey's Debates, vol. x. p. 165.

nuated,

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nuated, that the liberties of the nation muſt be at the mercy of a prince, who commanded ſixty-five thouſand ſoldiers, the number which the king had ſpecified as requiſite for the ſervice of the year [28]. The ſupplies, however, were rather retarded than reſtricted by theſe animadverſions. The ſum of one million five hundred and ſeventy-eight thouſand eight hundred and ninety-eight pounds was granted for the fleet, including the ordnance, and the expence of building docks at Portſmouth; which, added to the ſupply voted for the army, amounted to the ſum of three millions five hundred and fourteen thouſand ſix hundred and eighty-five pounds [29].

Supplies granted.

Inquiry concerning the inactivity of the fleet. .th Nov.

An inquiry concerning the fleet, inſtituted by the commons, excited the anxious expectation, and terminated in the diſappointment, of every party. The friends of lord Torrington entertained great hopes that this inquiry would contribute to the vindication of his honour, and the reproach of his adverſaries. If the inactivity of the fleet ſhould appear to be owing to the miſconduct of Ruſſel, who now commanded it, they would conſider this as a juſt retribution to that man, whoſe opinion, forwardly and indelicately obtruded, had impreſſed his ſovereign, and many of the nation, with ſentiments unfavourable to Torrington. Should the blame be found to reſt with thoſe who were inveſted with the truſt of fitting out the fleet, and directing its ſervice, this would exhibit an exact counterpart to the delay and contradiction of orders, which lord Torrington had repreſented as the cauſe of his misfortune; and teach the authors of it, that diſgrace and condemnation, though ſometimes transferred by ſuperior influence to the guiltleſs, would at laſt fall upon the head of thoſe who had actually offended. The nation, as well as parties, felt themſelves deeply intereſted in the iſſue of this inquiry. The fleet, commanded by Ruſſel, had been equipped at great expence; and, when joined by the Dutch, was far ſuperior to the French; and yet nothing had been performed. But

[28] Grey's Debates, vol. x. p. 175-6, &c. [29] Journ. Commons, 18th Nov. 1691, 4th Jan. 1692.

though

though much time was exhausted, and long and keen debates took place, yet no information was obtained, sufficient to substantiate any criminal charge, either against the commanders, or the commissioners of the admiralty. The want of sufficient strength, and of provisions, or the remissness of the admiralty in sending orders, were urged by the friends of Russel, as the cause of the delay of sailing in the early part of the season. The disappointment of the blockade at Dunkirk, from which much had been expected, was imputed to the Dutch fleet, which had refused to second the operations of the English. The peculiar good fortune and dexterity of the French, in avoiding an engagement, was the apology made by the English admiral, for disappointing the nation of the victory and glory, which they had anticipated from the superiority of their fleet [30].

Bills to check abuses in the revenue and public offices.

The detection of extravagance, and of abuses in the army and public offices, were not only animadverted upon in the course of the debates upon the supplies; but induced the commons, with great propriety, to introduce several bills for retrenching the salaries of office, and for preventing future abuses of the revenue. These bills, however, were either rejected by the lords, or clogged with such amendments as tended to defeat their very purpose [31]. A bill for ascertaining the commissions and salaries of judges, and rendering them independent, began in the commons, and passed both houses; but the king refused his assent to it. The declining influence of the crown, unequal to the vigorous prosecution of measures of the highest national concern, as well as the dread of conspiracies which broke out at this time, were apologies for withholding the royal assent from a bill essential to the pure dispensation of justice [32].

[30] Grey's Debates, vol. x. Journ. Commons, 16th, &c. November. Lives of the Admirals, vol. ii. p. 346.

[31] The principal of these were, that the payment of the forces should tally with the actual muster. Journ. Commons, 14th December. A bill against buying and selling offices, 17th December. That all the profits arising from any place in the gift of the crown above 500l. should be applied to the charge of the war, 23d December. So far were the commons consistent in their plans of œconomy, that they contrived to force upon the lords, a bill for continuing the commissioners of accounts, by tacking it to a money bill; 23d Dec.

[32] Burnet, 1691.



The

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1691.

The influence of the tories augmented by a farther change of ministry in their favour.

The ftrength and influence of parties continued through this feffion, almoft in the fame proportion, as in the two preceding ones. His majefty, after the conclufion of it on the twenty-fourth of February one thoufand fix hundred and ninety-two, threw additional weight into the fcale of the Tories, by admitting the earls of Rochefter and Ranelagh, lord Cornwallis, and fir Edward Seymour, into the privy council. The earl of Pembroke was made privy feal, lord Cornwallis a commiffioner of the admiralty, and fir Edward Seymour a commiffioner of the treafury.

## CHAP. XIV.

*Motives with Lewis for attempting an Invasion of England.—Preparations for it.—Prudence and Activity of Queen Mary.—The united Fleets of England and Holland obtain a complete Victory.—The People dissatisfied.—The Interest of the Confederacy declines.—Short Account of Campaign 1692.—Causes of the Decline of William's Influence in England.—Meeting of the fourth Session of the second Parliament.—Complaint made by certain Lords for having been illegally committed—The King discharges them.—Motion in the House of Lords, for a joint Committee to give the King Advice—alarming to the Court—rejected.—Articles of Advice proposed by both Houses separately.—Reflections, made by Opposition, on the Conduct of the King, and those employed by him.—The Temper of the Parliament becomes more favourable to the Court.—Expectations of the Whigs.—Breach between the two Houses occasioned by an Inquiry about the Miscarriages at Sea.—A Conference between them.—The Lords propose to assess themselves.—A Bill for triennial Parliaments—passes both Houses—rejected by the King.—Changes in public Offices.—Campaign 1693.—Partial Changes in Administration.—Meeting of the fifth Session of the second Parliament.—Inquiry into the Miscarriages at Sea.—Corruption discovered.—Lord Falkland sent to the Tower.—Liberal Supplies granted.—The King refuses his Assent to a Place Bill.—Causes of the Compliance of all Parties with the Court during this Session.—Preferments in favour of the Whigs.—Meeting of the sixth Session of the second Parliament.—An Act for triennial Parliaments.—Supplies.—Death of Queen Mary.—Her Character.—The Hopes of the Friends of James excited.—Inquiry into the Prosecution of the Gentlemen in Lancashire, suspected of a Conspiracy against Government.—Discovery of Corruption.—Parliament prorogued.*

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1692. 5th March.

AT no period in the reign of William were his affairs more critical than after his departure for the continent, in the interval between the third and fourth session of the second parliament. From disaf-

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Motives with Lewis for attempting an invasion of England.

disaffection, intrigue, and conspiracy, no party was entirely free. Besides the number and influence of James's correspondents, many motives induced the French king to attempt more bold and direct exertions in his behalf; and even flattered him with the prospect of making a successful invasion upon the coast of England. The troops transported from Ireland, agreeably to the treaty of Limerick, brought a considerable addition to the French army. It was suspected that a descent upon the coast of France was intended by the English fleet, which suggested to Lewis the anticipation of the same plan, as most effectual for averting the danger with which he himself was threatened. He had found, from the experience of two campaigns, that the wealth and force of England were the sinews of the grand alliance. There remained therefore no hope of weakening or destroying it, but by the separation of England; and no hope of effecting that separation, but by the dethroning of William. The breach between him and the whigs, the notorious predilection of the tories, now in administration, for the hereditary succession, and, above all, the assurance of disaffection in the fleet, encouraged the most sanguine expectation from an attack upon England, conducted by James in person [a].

Preparations for it.

In order to accomplish this design, the French ships at Brest and Toulon were fitted out with uncommon expedition: all the privateers were recalled, and an embargo laid upon the merchantmen, for the more speedy and effectual manning the navy. Not less than eight or ten thousand troops were moved from the internal garrisons to Normandy and Guienne. King James directed his friends in England to carry on corresponding preparations, and to put themselves in a posture to second the French troops upon their landing.

11th April. 24th April.

Early in the spring he left Saint Germains and came to Caen, and afterwards to La Hogue, that he might be in readiness to sail with the French fleet; and finally, a declaration was published by him,

[a] Life of James, 1692. Histoire de France, tom. iii.

expressed

1692.

expreſſed in ſuch terms, as ſeemed beſt calculated to confirm the reſolutions of his friends, and to convert or intimidate his enemies [2].

Activity and prudence of queen Mary.

The vigilance, prudence, and compoſure of queen Mary, ſhone with conſpicuous luſtre in this ſeaſon of danger. The fleet was equipped with wonderful celerity; the army was augmented, the militia called out, three regiments were brought from Holland, which, with thoſe already in England, were encamped near Portſmouth. The parliament was ſummoned to meet for the diſpatch of buſineſs. By a ſeaſonable mixture of terror and confidence, held out by the court to the enemies of government, ſome were overawed, and others allured to fidelity, in the diſcharge of the important truſt committed to them. For, while warrants were iſſued againſt the notoriouſly diſaffected, many of the officers in the navy, and ſailors, who had been wavering, were overcome by the kind and generous aſſurances with which the queen profeſſed to rely upon their fidelity and honour [3].

24th May.

The united fleets of England and Holland obtain a complete victory.

Theſe meaſures, ſeconded by no common ſhare of good fortune, delivered England from the imminent danger of foreign invaſion, and internal conſpiracy. The combined fleets joined ſooner than was expected, were greatly ſuperior to the fleet of France, and obtained a complete victory [4]. But though this victory fruſtrated the immediate views of James, and diffuſed a tranſient gleam of joy over the Engliſh nation, naturally captivated with ſplendid exploits, yet it did not promote ſuch important and durable effects, either with reſpect to domeſtic tranquillity, or foreign ſucceſs, as were expected by the court. As ſoon as the tumult of popular joy had ſubſided, critical inquiries into the ſtate of public affairs were reſumed, and complaints

19th May.

The people diſſatiſhed.

[2] In this declaration, James expreſſes great confidence in the affections of his ſubjects, and reminds them of the ſevere treatment he had met with from the prince of Orange and the convention. He mentions the miſeries which England muſt ſuffer if ſhe did not return to her duty. He prohibits his ſubjects to pay any taxes for the ſupport of an uſurped government: he promiſes, with a few exceptions, to pardon all who ſhall return to their duty: he engages to maintain the church of England, and recommends to parliament to allow liberty of conſcience.

[3] Burnet.

[4] Lives of the Admirals, vol. ii.

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muttered, becaufe victory had not been complete, in proportion to the fuperiority of the Englifh and Dutch; nor purfued with wifdom and vigour. The people were not fatisfied, becaufe a defcent upon the coaft of France had not been attempted. The victory at La Hogue, in fome refpects, was injurious to the Britifh trade; for it being impoffible to refit the French fleet again during that feafon, the failors were employed in privateers, which fwarmed on every coaft, and committed daily depredations on the merchant fhips [5].

The intereft of the confederacy declines.

Other caufes increafed the number of thofe who were diffatisfied with the continental war. The fpirit and power of the confederacy were declining. Pope Innocent the Twelfth, fo far from inheriting the refentments of his predeceffor, Innocent the Eleventh, againft France, was decoyed by her artful addrefs, to employ his apoftolic influence with Spain and with the emperor, in order to perfuade them to fheathe the fword, and give peace to Europe. He interceded for the States and princes of Italy, who complained of the oppreffive exactions of the Imperial army; and gave his fanction to negociations for bringing about a defenfive league among them, againft the confederate princes [6]. Tempting offers were held out by France, to detach the duke of Savoy from the alliance, and were refifted, only while the allies had it in their power to retain him by more advantageous terms. The elector of Saxony embraced the opportunity, afforded him by the prefent embarraffed ftate of the emperor's affairs, of refenting fome flight affronts he had formerly received from him, and of withholding his troops from the confederate army. The king of Sweden was alfo backward in furnifhing his ftipulated reinforcement. The influence of the Louveftein faction began to revive by the intrigues of Lewis, and marred the alacrity and unanimity with which the States had entered into the war. The perfonal diligence and ability of king William alone compenfated for thefe advantages, by bringing over new fup-

[5] Barnet.

[6] Memoirs of Europe.

plies

plies of ſtrength to the confederacy, and animating the vigour and reſolution, of all its members. As he had been the inſtrument of fixing the duke of Hanover and the elector of Saxony, in the intereſt of the confederates, ſo to his prudent counſel was aſcribed the appointment of the elector of Bavaria to be governor of the Spaniſh Netherlands; a meaſure which, by transferring into Flanders a conſiderable portion of the treaſure and force of his electorate, put it into a better poſture of defence, while the influence, derived from his official connexion with Spain, was employed to promote ſuch a ſucceſſion to that monarchy, as was agreeable to the views of William and the confederates [7].

Short account of campaign 1692.

The campaign of one thouſand ſeven hundred and ninety-two did not diminiſh the diſcontents, or raiſe the hopes, of the nation. Namur, one of the ſtrongeſt cities in Flanders, ſurrendered to the French king. (June.) William, at the head of the principal army of the confederates, attacked the French, commanded by Luxembourg, near Steenkirk. (Auguſt.) The French kept the field: the loſs of the allies amounted to above five thouſand killed and wounded. Upon the Rhine the duke of Wirtemburg was ſurpriſed in his camp, near Edelſheim, by the marquis de Lorges. (September.) A thouſand of his men were killed, he himſelf made a priſoner, and the neighbouring country of the States laid under contributions. The ſucceſs of the allies was not ſufficient to counterbalance theſe loſſes. In Flanders, a few villages in the poſſeſſion of the French were bombarded. In Spain, things remained in the ſame ſtate as in the former campaign. The duke of Savoy opened the campaign with great activity; he entered Dauphiné, and had made himſelf maſter of Ambrun and Gap, when he was ſeized with the ſmall-pox, (Auguſt.) which obliged his army to retire and evacuate the places they had taken. A ſtrong ſuſpicion that he availed himſelf of the pretext of diſeaſe to ſpare France, depreſſed the ſpirits of the allies, more than they had been raiſed by his former exploits and glory [8].

[7] Ralph, vol. ii. p. 341, &c. Burnet.

[8] Life of William. Hiſtoire de France. Monthly Mercury.

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Caufes of the decline of William's influence in England.

The perfonal influence of William, and the attachment of his Englifh fubjects, continued to decline during the fummer one thoufand fix hundred and ninety-two. Thofe meafures which he purfued, in compliance with neceffity, it muft be admitted, were often of an ambiguous complexion, and might, according to the prejudices of fpectators, be traced to the love of power, or the dictates of wifdom. Of this nature was his oppofition to fome of thofe bills, which were introduced in the true fpirit of the revolution; and which feemed effential, in a more fettled ftate of government, to the pure adminiftration of juftice. A bill for amending the laws with refpect to treafon, a bill for controlling the extravagant prerogatives of the court of chancery, and for eftablifhing the independence of the judges, were defeated, by the indirect influence, or open negative, of the king. This unwillingnefs, which he difcovered to extend the liberty of the fubject, was imputed to the fame principles and temper, which had generated the grievances of the former reign. The employment of perfons who had been odious inftruments of the worft meafures, and the example of feverity in the trials of lord Prefton, and Mr. Afhton, were produced as corroborating evidences of the arbitrary difpofition of William. Nor were thefe circumftances more offenfive, than the diftinguifhed confidence with which he treated his Dutch and foreign officers [9]. All thefe caufes of difcontent were foftered by the enemies of adminiftration, and circulated in publications, which, in number and acrimony of ftyle, exceeded all of the fame nature which had appeared fince the revolution [10].

[9] This conduct of William, proceeding partly from the prejudices of his education, feems at the fame time to have been juftifiable from confiderations of ufefulnefs and expediency. The long continuance of peace in England previous to the revolution, occafioned a real want of accomplifhed and experienced commanders. Except lord Churchill, who, by the force of fuperior genius, furpaffed all his contemporaries of the military profeffion, it may be queftioned if there was another Englifh officer fit to be intrufted with an independent command.

[10] Publications of the Times. Somers's Collections. State Papers, T. W.

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The coalition of individuals and parties, hitherto oppofite and irreconcilable, gave a deep wound to the influence of the crown, before the opening of the fourth feffion of the fecond parliament. In the two firft feffions of this parliament, divifions in both houfes were regulated, in a great meafure, by the motives and principles of party; and whigs and tories ranged themfelves, with more exactnefs and confiftency, under their refpective ftandards. As the jacobites, and whigs out of doors, had of late concurred in arraigning the meafures of government, and the conduct of the king, fo the whig members, and the tories out of place, often ftood upon the fame ground, and coincided in opinion upon thofe queftions which came under the difcuffion of parliament. The difcrimination of parties grows more faint, and their animofities more languid, in proportion to the diftance from a general election. On the approach of that event, members of the fame party affociate and confult together, and reciprocally impart a zeal for their common principles. Rival candidates find it their intereft, during a canvas, to cherifh every idea calculated to imprefs their electors with the opinion of their wide and irreconcilable oppofition. From repeated promifes and declarations, they often catch an enthufiafm for the principles of their party, and engage, perhaps fincerely, to fupport them; but when intercourfe with their conftituents becomes lefs neceffary and frequent, various circumftances co-operate to abate the ardour, and confound the diftinction of parties. Queftions often occur, in which their principles and political interefts are at variance. Some adhere to their principles, others, perhaps the greater number, fall in with thofe meafures which tend to fecure the pre-eminence, or gratify the refentment of their party. On fuch occafions the influence of party is impaired, both by internal divifion, and by the lofs of reputation. The miniftry, the parliament, and parties, were all, at this period, in fuch a fituation, as to exhibit the full operation of thofe caufes

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Meeting of the fourth feffion of the fecond parliament.

which have a tendency to extinguifh divifions, and reconcile fuch as had formerly been of oppofite opinions and interefts.

Another feffion of this parliament was opened on the fourth of November. The king thanked them for the fupplies he had formerly received, and expreffed his hope, that they would continue their advice and affiftance, and take the moft proper meafures for fupporting their common interefts againft the exceffive power of France. He mentioned the victory at fea as ground of joy, and wifhed that the fuccefs by land had been anfwerable to it. The diligence of France, in repairing her fleet and augmenting her armies, was urged as a reafon for maintaining the forces of England entire, and granting fuitable fupplies. A defcent upon the coaft of France was propofed, and fuch care and application promifed, as were likely to enfure fuccefs.

This feffion was opened in both houfes with evident fymptoms of difrefpect to the court. Circumftances trivial, and apparently unworthy of record, often indicate the temper both of individuals and focieties more exprefsly, than thofe interefting facts which better fupport the dignity of hiftory. Parliament met, as has been obferved, on the fourth of November, the anniverfary of the king's birth-day, and of his arrival on the coaft of England; a day, which feemed to call for fome external teftimony of gratitude and refpect to their deliverer. So far, however, was it from being diftinguifhed, that both houfes adjourned for feveral days, and the lords, after meeting again, inftead of confidering the king's fpeech, entered with great heat upon the defence of their privileges.

Complaint made by certain lords for having been illegally committed.

This fubject was brought before them by a complaint of the lords Huntington, Scarfdale, and Marlborough, who had been committed to the Tower upon the fufpicion of treafon. The ground of their complaint was, that information had not been given againft them on the oath of two witneffes, according to law; and that, at the beginning

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beginning of Michaelmas term, they were continued under bail, though the parliament was soon to meet[11]. After various debates and resolutions passed by the lords, the king prudently discharged the prisoners, in order to remove a subject which was likely to be made a handle of violent measures against the court. It must have been painful to him upon this occasion to find, that apparent ingratitude towards Marlborough, whom he knew to be treacherous, contributed not only to weaken the interest of the court in the house of lords, but to impair his reputation among the people[12].

The king discharges them.

The king in his speech had mentioned the advice of his parliament, as well as their assistance. The party in opposition in both houses clung to this expression, and annexed to it such a latitude of interpretation, as might authorise the most severe and pointed censures of the measures of the court. It was moved in the house of lords, that a joint committee of both houses should be appointed to confer concerning the state of the nation, and to consider what advice they ought to give the king. The similarity of this measure to that which had been adopted, upon the dissolution of government, in the reign of Charles I., as well as its obvious consequences, filled the court with the highest alarm. As the objects to which it referred were indefinite, and arbitrarily selected, it might easily be employed as a warrant for intruding into the most delicate and retired departments of government, while the restricted number of a committee, comprehending the authority of both houses, would

Motion in the house of lords for a joint committee to give the king advice.

Alarming to the court.

[11] Journ. Lords, 7th and 14th November.

[12] These lords had been sent to the Tower upon the accusation of one Young, a man of an infamous character, who had himself been committed to prison for forgery. With the assistance of another prisoner, he framed an association against government, to which he annexed the subscriptions of Salisbury, Marlborough, the archbishop of Canterbury, the bishop of Rochester, &c. in characters so like their hand-writing, as not to be distinguishable from their true subscriptions. The villainy was detected to the satisfaction of the privy council by Sprat, bishop of Rochester, when confronted with Blackhead, the associate of Young. State Trials.

The confinement of Marlborough after this detection had an ill appearance, but there was too good reason for it, as is evident from the discoveries lately published in Mr. Macpherson's State Papers. See chap. xv.

Rejected.

give unanimity and vigour to their proceedings. The utmoſt influence of the court was exerted, and with difficulty procured the rejection of this motion, by a majority of two votes[13].

Articles of advice propoſed by both houſes ſeparately.

But though it was over-ruled, yet the ſubject of giving advice was, from time to time, reſumed in both houſes, and became extremely vexatious to the king, as it proved a vehicle for conveying the moſt diſreſpectful inſinuations with regard to his meaſures and attachments. It was reſolved by the commons, that his majeſty ſhould be adviſed, to fill up vacancies among the general officers with ſuch only as were natives of his dominions; to conſtitute commiſſioners of the admiralty perſons of known experience in maritime affairs; and to employ in his councils ſuch perſons only, whoſe principles obliged them to ſtand by his rights againſt the late king James[14].

The ſubjects contained in the addreſs of the lords were not leſs perſonal, and ſtill more offenſive to the king. They prayed that no foreigner ſhould be of the board of ordnance, or keeper of ſtores in the Tower of London; that the chief governor of the Engliſh forces under the king ſhould be a ſubject born in their majeſties dominions; and that he would be pleaſed to give the precedency to Engliſh officers, and to leave in England, for the defence of the kingdom, none but Engliſhmen[15].

Reflections made by opposition on the conduct of the king and thoſe employed by him.

In the courſe of the debates on theſe reſolutions, illiberal reflections were thrown out againſt the foreign generals. All the calamities and diſappointments the nation had ſuffered during the war, were imputed to the prevalence of a foreign influence, and the defeat of the confederate army at Steenkirk; particularly, to the miſconduct of count Solmes. The ſtate of alliances, and the reports of the commiſſioners of accounts, laid before the houſe of commons early

[13] Journ. Lords, and Lords' Debates, 7th December.
[14] Journ. Commons, November, December, paſſim, and 11th January 1693.
[15] Journ. Lords, 18th February 1693.

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in the session, suggested materials for censuring the conduct of the allies, the exorbitant expences of the war, and the mismanagement of the public funds. While James, it was said, had been ruined by submitting his affairs to the direction of men destitute of principle, William followed the advice of ministers who had avowed the most dangerous principles; and that the constitution was in effect changed, while the most important measures were directed by a few, obsequious to the arbitrary pleasure of the king, without the participation of the privy council, who were his natural and responsible advisers[16].

The temper of the parliament becomes more favourable to the court.

Notwithstanding the determined face of hostility to the court, with which both houses had entered upon the public business, yet they not only desisted from the prosecution of harsh measures, but displayed instances of a compliance, highly gratifying to the king. Several bills for retrenching the influence of the court proved abortive[17]. The supplies, though for some time delayed, amounted to the sum of five millions seven hundred and fifty thousand pounds. The same land force was continued, and the navy considerably augmented. This change in the temper of parliament, and the final triumph of the court, are to be ascribed to great industry and address on the part of the king, assisted by a concurrence of fortunate events. He now began to perceive the necessity of throwing himself again into the arms of the whigs, who slackened their opposition upon the intimation of their approaching pre-eminence. Lord

Expectations of the whigs.

[16] Grey's Debates, vol. x. p. 252, &c.

[17] The fate of the bill for amending the laws respecting treason was remarkable: after being pursued with great zeal by opposition, it was not only dropped, but made the foundation of a bill for the better preservation of his majesty's person.

The complaisance of the commons, with respect to the bill for ascertaining the salaries of judges, was still more unaccountable. It had passed both houses in the last session, and was rejected by the negative of the king. As it had originated with the commons, their honour was particularly affected by its rejection. Here then they had an opportunity of contending against the crown with every advantage; the strength of their cause, the approbation of their constituents, their former success, thwarted only by a measure which the king durst not repeat, without losing more than he could gain; yet this bill was thrown out by the commons after a second reading. Journ. Commons, 17th December.



Sunderland,

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Sunderland, whose political talents obliterated former criminality, had now insinuated himself into the confidence of their leaders, and proved a successful agent for the king, by softening the violence, and reconciling the affections, of that party[13]. A breach between the lords and commons, occasioned by an inquiry into naval affairs, interrupted that unanimity which subsisted between them, and at last engrossed that zeal which was at first devoted to the depression of the court. After the victory at La Hogue, the inactivity of the English fleet, during the remainder of the season, exceedingly disappointed and provoked the nation. All parties agreed, that there had been some mismanagement, though on whom it was chargeable a diversity of opinions prevailed, some ascribing it to the commanders, and others to the court of admiralty. The house of commons, by a vote of thanks to admiral Russel, discovered a precipitate and partial approbation, which involved the censure of the earl of Nottingham, who conducted the naval department, and was therefore supposed to be answerable for that mismanagement, of which Russel was thus virtually acquitted. The lords, exasperated by the vote of the commons, shewed the most anxious concern to vindicate the earl of Nottingham. To accomplish this with a strict regard to justice, they examined the various orders which had been issued by the admiralty, and the several letters which had passed upon the subject of these orders between lord Nottingham and Russel; after which they came to a resolution, that an account of their proceedings, together with the papers on which they were founded, should be sent to the other house, thereby insinuating that the commons had decided without information. The commons, angry at a resolution which implied such an impeachment, repeated their approbation of admiral Russel, and declared, that, during the last summer's expedition, he had acquitted himself with fidelity, courage, and conduct. The lords demanded a conference. With

Breach between the two houses, occasioned by an inquiry about the miscarriages at sea.

11th Nov.

8th, 10th, 19th December.

26th Dec.

[13] Burnet.

this

this demand the commons complied; but in a way still more contemptuous and irritating, than if they had refused it; for they instructed their commissioners to make no reply to any arguments, and only to report what they heard [19]. It was probably in resentment of this disrespectful treatment, that the lords made an attempt to interfere with the commons in a department, which the latter had always considered as their sole and peculiar province. When the bill for the land tax was brought up to the house of lords, it was moved and carried, that the lords should assess themselves, and name a collector of their own [20]. This amendment was rejected by the commons with great heat, and a conference demanded upon it; and though the amendment was defended with ability, yet the emergency of the state, and the disapprobation of the people, obliged the majority in the house to recede from it, and afford a new triumph to the commons.

A conference between the two houses. 2d Jan. The Lords propose to assess themselves.

19th Jan.

This fluctuation of sentiments, apparent from the conduct of individuals and of parties, excited great complaints of corruption, and convinced both houses, that some measures were necessary to maintain the purity and reputation of parliament [21]. A bill for this purpose having passed the house of commons, and been thrown out only by two votes in the house of lords, opposition was again encouraged to introduce another to the same effect in the upper house [22]. The sub-

A bill for triennial parliaments.

[19] Ralph, vol. ii. p. 397. Burnet and all the whig historians have added their testimony, in behalf of Russel, to that of the commons; and the Author of the Lives of the Admirals has adopted their view, vol. ii. p. 367. 375.

From the papers produced in that inquiry it appears, that though a descent upon the coast of France, as planned by the ministry, was attended with difficulties of which they were not aware; and that, in some instances, their instructions to the commanders were long delayed, and after all were not perspicuous; yet, on the other hand, Russel, and the commanders under him, were exceedingly disposed to exaggerate the difficulties of the expedition, and the errors of the ministry. They did not make the exertions which were in their power, and alleged the most frivolous excuses in their vindication. From late discoveries there is too much reason to suspect the conduct of Russel at that period. See chap. xv.

[20] Journ. Lords, 16th Jan.

[21] Burnet.

[22] Journ. Commons, 22d Dec. Journ. Lords, 3d Jan.

stance

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passes both houses;

rejected by the king.

ſtance of it was, that a new parliament ſhould be aſſembled every three years, and a ſeſſion held every year. The efforts of the court could not prevent its paſſing in both houſes; and the king, apprehenſive of its reducing the power of the crown, was forced to have recourſe to the unpopular method of ſuppreſſing it by his negative. This ſeſſion of parliament was concluded on the fourteenth of March.

Changes in public offices.

Admiral Ruſſel was diſmiſſed from his majeſty's ſervice on the twenty-fourth of January, and the command of the fleet given to admirals Killigrew, ſir Ralph Delaval, and ſir Cloudeſley Shovel. Sir John Lowther, Henry Prieſtman, lord viſcount Falkland, ſir Robert Rich, ſir Ralph Delaval, were appointed lords commiſſioners of the admiralty. Although this choice was ſuppoſed to have been directed by lord Nottingham, yet a greater intereſt was thrown into the ſcale of the whigs, by putting the great ſeal into the hands of ſir John Sommers, and appointing ſir John Trenchard ſecretary of ſtate. As ſome compenſation to Ruſſel, as well as to avert the reſentment of his friends, he was appointed treaſurer of the houſehold.

3d March.

Campaign 1693.

The confederate armies were chiefly employed in a defenſive war during the campaign of 1693. In the Netherlands, Charleroy and Huy were taken by Louxembourg. In the Palatinate, Heidelberg, Spire, Manheim, and Frankendale fell into the hands of the French army under the marquis de Lorges. The marſhal Louxembourg attacked the allies commanded by king William in their camp near Landen. The advantage of the ground, over-rated by the latter, induced him to decline the advice of his generals, to retreat. His army, though compelled to give way to ſuperior numbers, made a brave reſiſtance, and diſappointed the enemy of the fruits expected from their victory. The confederates loſt ſeven thouſand men, and count Solmes, an experienced general. In Piedmont, the allies, commanded by the duke of Savoy, were defeated by the French, under the marſhal de Catinat. Marſhal de Noailles took poſſeſſion of Roſes, a ſeaport town in Catalonia. The ſucceſs of the French fleet, as it

May.

July.

October.

May.

was

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was the less expected, was the more mortifying to England. The French had not only refitted their ships, but made a considerable addition to their navy, by arming the largest merchantmen. The loss of trading vessels to England exceeded that of any former year: eighty of them, amounting to one million sterling, were taken and destroyed, off Cape Saint Vincent's, by the Toulon squadron. Two Dutch ships of war and one English, belonging to the united fleets under admiral Rook, fell into the hands of the enemy. Four of the largest Smyrna ships, and one Dutch man of war, were burned or sunk at Gibraltar; and several English and Dutch ships destroyed by the French fleet at Malaga. Saint Maloes was bombarded by captain Bembow, which was the occasion of alarm and terror, rather than of any material injury to the enemy. To conclude the disasters of this campaign, sir Francis Wheeler, who had been sent out, early in the season, with a squadron against the French islands in the West Indies, was repulsed in several attacks, and many of his men perished by sickness, as well as by the sword [23].

Such accumulated losses could not fail to dispirit the nation. In former campaigns some ingredients of prosperity had been intermingled with misfortunes, and contributed to alleviate the disappointments, and sustain the fainting hopes, of the people; but now, every element, and every region exhibited calamity and disgrace.

28th Oct. Partial changes in administration.

When the king returned to England, he found it necessary to make a partial change in administration, in order to blunt the weapons of opposition, whetted by the ill success of his affairs. Admiral Russel, whose cause the whigs had espoused, was again appointed to the command of the fleet, and the earl of Nottingham was dismissed from his office of secretary of state [24].

The

[23] Life of William, vol. ii. Histoire de France. Lives of the Admirals, vol. ii.

[24] The restoration of Russel to the command of the fleet, is imputed by Mr. Macpherson to the direction and influence of James. "James," says he, "requested admiral Russel, who had "continued his communications with the court "of St. Germains, to endeavour to procure "the

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1693-4. Meeting of the fifth session of the second parliament.

The king met his parliament on the seventh of November. He regretted their losses by land and by sea: the former he imputed to the superior force of the enemy; the latter he styled miscarriages, and promised his endeavours to bring the authors of them to punishment. He urged the necessity of increasing the land and naval force, which must require a liberal supply.

" the command of the fleet. He desired him " to suppress his resentment for his late disgrace. He intreated him to command his " temper, to regulate his conduct with pru" dence and reserve, and to raise no enemies that " might obstruct his designs. The intrigues " of James prevailed. William evidently fell " into the snare. The adherents of the late " king insinuated, that to restore Russel to the " fleet, was to soothe the nation for the miscar" riages at sea. He was accordingly placed in " his former office 6th November." Macpherson, vol. ii. chap. i. 1693. This account of Mr. Macpherson is founded upon a paper, entitled, Instructions to the Countess of Shrewsbury, to the Earl of Shrewsbury, &c. &c. dated 16th October 1693, in which are the following words: " It is his majesty's pleasure, that you " let admiral Russel know, that his majesty de" sires him to get the command of the fleet " from the prince of Orange, &c." Macpherson's State Papers, 1st October 1693.

A few remarks on this subject will justify an observation that has already occurred, namely, how ready authors are to over-rate the importance of facts which they have been so fortunate as to discover, and to stretch the conclusions drawn from them.

It may be disputed, whether James and his friends could have more reason to rely upon Russel's services, than those of the principal admirals in commission last season. Two of them were certainly in his interest, and therefore he could have no reason for wishing Russel to be employed, in preference to them. It is evident that James's friends entertained great suspicions of Russel. See chap. xv. Nay, the resolution which Russel himself avowed while intriguing with James, that if he met the French fleet he must fight them; and the fatal experience James had acquired of Russel's adherence to this resolution when he defeated the French fleet at La Hogue, must have rendered the consequence of Russel's being employed extremely doubtful, and indeed, most probably, adverse to the interest of James.

Were not the former success of Russel, his popularity, and the offence occasioned by his dismission, sufficient reasons for determining William to recal him to his service, independently of any direct and treacherous influence employed by the friends of James for that purpose? Is there any evidence for the assertion of Mr. Macpherson, " that the ad" herents of the late king insinuated, that to " restore Russel to the command of the fleet " was to soothe the nation for the miscarriages " at sea?" Do any of the cotemporary historians authorise this assertion, or ascribe William's replacing Russel to the advice of any person whatever? The authenticity of the instructions to the countess of Shrewsbury is not called in question; but it does not follow, that these were the cause of Russel's being employed. The co-existence of events is no evidence of causality, or reciprocal influence. It is submitted to the decision of the impartial reader, whether the great probability of Russel's being again employed, for the reasons already mentioned, might not be the occasion of James's anticipating the request of Russel, if he was engaged in correspondence with him; and of alluring him to his service, by giving him his sanction, or rather his advice for doing a thing, which he was of himself very much disposed to do.

The

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1693-4.

Inquiry into the miscarriages at sea.

The commons, after an unanimous resolution to grant a supply, and to support the government, apparently entered with great earnestness upon an inquiry concerning the miscarriage of the fleet. They examined the petitions of the Turkey company to the admiralty for convoys, and copies of the instructions and orders sent to the commanders of these convoys, and the commanders themselves; and they at length resolved, that there had been mismanagement, but virtually acquitted the admirals, by putting a negative upon a motion to censure them [25]. The lords proceeded a step farther in favour of the admirals, resolving that they had done well in the execution of their orders [26]. In the course of the debates upon this subject, there appeared a great proneness to render it subservient to the interest of party; the whigs evidently wishing to throw the whole blame upon lord Nottingham, and the tories upon Mr. Trenchard. The court, dissatisfied with this partiality, became more reserved in giving the information called for by the lords. They themselves began to grow weary of the business, and it was at last suffered to drop, without yielding either to the nation or the court that satisfaction which they expected, from the earnestness of both houses in beginning an inquiry [27].

Corruption discovered.

If the commons had been inclined to be troublesome to the court, they would have found ample materials in the reports of the commissioners of accounts. From them it appeared, that above a million sterling of arrears of wages was due to the sailors; while lord Falkland, one of the commissioners of the admiralty, obtained for him-

[25] Journ. Commons, 17th November, 6th December, 1693.

[26] Journ. Lords, 10th January, 1694.

[27] Upon a full and candid examination of all the facts relating to this business, it appears, that there had been either negligence or treachery in the admiralty, who did not communicate to the commanders the intelligence they had received of the sailing of the Brest fleet; that the admirals had been negligent in not endeavouring themselves to obtain intelligence concerning that event; that after they had unexpectedly met the French fleet, they had acted with great presence of mind, and had done all that could be done to save the transports. Ralph, vol. ii. p. 470-1. Lives of the Admirals, vol. ii. p. 392.

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felf a grant of two thoufand pounds, out of money levied for the ufe of the navy. Large fums had been expended for fecret fervices: penfions had been granted to many, to accommodate the king's political arrangements. It was matter of aftonifhment to obferve, that admiral Ruffel had received ten thoufand pounds for his fervices, at a period when the merit of them had been called in queftion, and when it was believed that he had fallen under the royal difpleafure. Confiderable fums had alfo been iffued, to affift candidates in the intereft of the court, in defraying the expence of their elections [28]. Thefe difcoveries gave occafion to debates, in which the conduct of individuals was feverely cenfured; but the actual infliction of punifhment was confined to lord Falkland; who, after being reprimanded by the houfe, was committed to the Tower, for having been guilty of a mifdemeanour and breach of truft [29]. But neither the difcovery of internal corruption, nor the recent experience of public misfortunes, had any effect in reftraining the liberality of the commons, or difcouraging their compliance with the court. In conformity to the king's defire, fix regiments of horfe, four of dragoons, and fifteen of foot, were added to the army. The whole of the fupplies granted by this feffion amounted to five millions four hundred and forty-feven thoufand two hundred and eighty-two pounds. A fum of fuch extent was the moft fubftantial evidence of the good difpofition of the commons towards the court; nor was this difpofition lefs confpicuous by what they did, than by what they avoided to do. Though the complaints from Ireland referred to ftriking examples of the mifapplication of the forfeitures, and of abufes committed by the agents of miniftry there, yet every motion to inquire into them, or to redrefs them, was over-ruled [30]. No objection was made to the continuance of the war, which, it was believed by many, might at

Lord Falkland fent to the Tower.

Liberal fupplies granted.

[28] Journ. Commons, November, December, paffim. Grey's Debates, vol. x.

[29] Journ. Com. 9th, 16th, 19th Feb 1694.

[30] Ibid. December and January, paffim.

that

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that period have been brought to a conclusion, upon terms honourable and advantageous to England[31].

1693-4. The king refuses his consent to a place bill.

A short interruption to the good understanding which subsisted between the king and the house of commons, was occasioned by the resolutions adopted by them, after he had a second time refused his assent to a place bill, presented with some money bills, which were extraordinary expressions of their bounty. A committee was appointed to consider the state of the nation; and they addressed the king, expressing their grief for his having prevented a bill necessary to the vindication of their honour: but when a motion was made to address him again upon the same subject, it passed in the negative, by no less a majority than two hundred and twenty-nine against eighty-eight[32].

The moderation and good temper displayed by the commons in the course of this session, could not be owing to any want of opportunity, or arguments of complaint against administration. The misfortunes of the nation abroad, the discovery of corruption at home, and the oppressions exercised in Ireland, afforded abundant materials, if parliament had been disposed to use them. Circumstances, in every view so favourable to opposition, were however counteracted by peculiar causes, which operated strongly upon individuals and parties. A concise detail of these circumstances may not be unworthy of attention, as they display the character of the times, and exhibit a specimen of what may be expected, in similar situations, to produce the same effects.

[31] The tories in general were believed to be averse to the continuance of the war; and yet, whether it was from the dread of public censure, or of the irretrievable loss of power, by disobliging the king in his favourite point, they acquiesced in the most liberal grants of money, the augmentation of the army and navy, and all other measures tending to the prolongation of the war.

The internal distress of France, occasioned by famine, rendered the French king desirous of peace. Monthly Mercury, December 1693. A memorial was presented to the court of England, specifying terms, which amounted nearly to the restoration of the most important places taken from the allies; but there was no mention of acknowledging the title of William, which probably was the cause of their not being listened to.

[32] Journ. Commons, 27th Jan. 1st Feb. 1694.



1. The

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1693-4.

Causes of the compliance of all parties with the court during this session.

1. The interval between the removal of one administration and the establishment of another, is favourable to political tranquillity and the authority of the court. The approach of prosperity, or the recent attainment of it, naturally excite, in persons of every station, a flow of good humour, which disposes them to civility and kindness towards all with whom they are connected, in the intercourse of conversation or business. The smiles of the court, turned to the party in opposition, are considered as a token of future favour, and invite such returns of complaisance as open a channel for an entire and a cordial reconciliation; while those, who are threatened with the loss of power, become assiduous in expressions of respect and obedience to the prince, as the most probable means of preserving or resuming their station. The court, the ministry, and opposition, were exactly placed in the circumstances now described at the opening, and during the continuance, of the fifth session of this parliament. The expectations of the whigs had been industriously cherished, and at last their interest was considerably advanced, by the appointment of lord Somers to the great seal, and of Trenchard to the office of secretary of state. But still the resolutions of the court seemed to be wavering; and lord Somers complained, that, in the distribution of law offices, he did not enjoy that influence which belonged to his appointment [35]. The hopes of the whigs were however still kept alive, while the tories were not immediately driven to despair. The lieutenancy of London, which had been changed in favour of the latter at the beginning of this parliament, was gradually restored to the former; and the ascendency was again in their hands at the opening of this session. The removal of lord Nottingham, upon the eve of the session, seemed to confirm the most pleasing expectations of the whigs; but the protracted vacancy in that office again excited suspense, and promoted an emulation of both parties, in submissive and compliant behaviour to the

[35] Somers' letter to king William, Miscellaneous State Papers, vol. ii. p. 426.

court.

court. The tories maintained a majority in the houfe of commons; but the whig intereft was increafing in the adminiftration, and among the people. If the former had obftructed the bufinefs of the nation, and thwarted the meafures of the court, it might have provoked the king to diffolve the parliament, by which the pre-eminence of the whigs would have been confirmed.

2. The tories, at the prefent interefting crifis, had not merely to ftruggle for the retention, or the recovery of power; but to exert no fmall degree of addrefs and accommodation to circumftances, in order to fcreen the moft refpectable members of their party from legal cenfure, and public difgrace. The misfortunes, or mifcarriages of the campaign 1692, had been divided between lord Nottingham and Ruffel, and the people acquitted or condemned, according to their perfonal or political attachments: but the mifcarriages of the laft naval campaign centered entirely in the tories. Of the three commanders of the fleet, two, namely Killegrew and Delaval, were in their intereft. If the commanders were acquitted, the guilt reverted to lord Nottingham, who was the head of their party.

3. The correfpondence carried on at this period between James and many perfons in England[34], who were either candidates for office or already invefted with it, promoted conceffions to the will of the court; which could not have taken place, if confcious innocence had emboldened them to avow fuch principles, and purfue fuch meafures, as they believed to be agreeable to the intereft of the kingdom. None are fo ftudious to maintain the appearance and external forms of honefty, as thofe who are fecretly convicted of tranfgreffion. It has often been obferved, that thofe fervants, who have been afterwards detected in fecret fraud and breach of truft, had long deceived their mafters by the apparent exactnefs of their fidelity, and the oftentatious difinterestednefs of their conduct, in the difcharge of ordinary and frivolous duties. Treacherous minifters will be always

[34] See Chap. XV.

moft

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moſt forward in profeſſions of loyalty and attachment to their prince. There were few about the court of William, who were not occaſionally inveigled by the agents of James. Conſcious of engagements to him, they muſt have lived in a perpetual dread of detection, which rendered them anxious to preſerve fair appearances; and to catch every opportunity of diverting the ſuſpicion, and obtaining the confidence of their maſter. This correſpondence did not elude his penetrating eye; but, dexterous as he was in the art of political chemiſtry, he extracted medicine from poiſon; and made their treachery the means of counteracting the purpoſe for which it was encouraged by his rival. By generoſity, by threats, by availing himſelf of the intelligence of conſpirators, he conſtrained thoſe very perſons, who were the moſt able and the moſt diſpoſed to pull him from his throne, to become the chief inſtruments of ſecuring his poſſeſſion of it. If there had been more integrity in his miniſters, and more attachment to his perſon, his life and government might have been expoſed to leſs hazard; but he would not have enjoyed the ſame free and uncontrolled ſcope for purſuing his favourite meaſures, as he did, while thoſe who ſerved him were under the perpetual alarm of being detected, and becoming either the victims of his vengeance, or the monuments of his mercy.

4. There is ſtrong reaſon to conclude, from external appearances and from the effects produced, that not only fair induſtry and addreſs, but that indirect means were employed by the court, to procure the conſent of the leading members in both houſes, to meaſures which did not accord either with their private ſentiments, or with the views of their party[35]. The marquis of Carmarthen ſtill continued at the head of the council, and ſupported the court. The earl of Rocheſter, increaſing in favour with the queen, was not likely to thwart the inclinations of her huſband, to which ſhe was ever ſubmiſſive. The marquis of Halifax, who had entered almoſt on every

[35] Burnet, 1692.

occasion into the views of opposition, since the commencement of this parliament, now stood forth an advocate for the necessity of taxes and the continuance of the war[16]. These, and many similar circumstances, created a suspicion that expectation was fed, or present interest gratified, in a way not less effectual, than by the open distribution of pensions and offices.

Preferments in favour of the whigs. 4th March.

The king put an end to this session of parliament; and, soon after, the victory and triumph of the whigs were completed. Lord Shrewsbury had already accepted the seals: the admiralty and treasury were changed in favour of the same interest: Mr. Montague was made chancellor of the exchequer. Even titles of honour, distributed with a profuse hand, were almost entirely confined to this party: of five dukes now created, four were whigs[17].

April.

3d May.

The king sailed for Holland in the beginning of May. The confederate fleet was early at sea, but did not perform any important service. The French fleet industriously avoided coming to an engagement. An attempt to destroy the harbour of Brest, conducted by lord Berkley and general Talmash, proved unsuccessful, from the intelligence of that design having been conveyed to James by the earl of Marlborough[18]. The bombardment of Dieppe and Havre de Grace spread great alarm over the adjacent coast of France; but redounded little to the honour, or advantage of the English nation. The only naval success was the destruction of a large fleet of merchantmen in Bertram bay, by captain Pritchard of the Monmouth, attended by fire-ships.

June.

July.

No important action happened in Flanders. The French army under the dauphin, by expeditious marches, obtained possession of some advantageous posts on the Scheld; and prevented the allies from accomplishing their design of penetrating into French Flanders.

August.

[16] Ralph, vol. ii. p. 467. [17] Tindal, vol. ii. p. 469.
[18] Letter of lord Churchill to James, Macpherson's State Papers, 1694.

A de-

CHAP. XIV. 1694. September.

A detachment from the allied army, commanded by the prince Tſerclaes de Tilly, took the town and caſtle of Huy; and drove the French out of the biſhoprick of Liege.

In Catalonia, the Marſhal de Noailles, with a ſuperior army, forced the Spaniards to retreat; ſtormed and plundered the town of Palamos, beſieged and took Gironne, Oſtelric, Caſtle-folet; and intended to have finiſhed his career of victory with the ſiege of Barcelona; but was prevented by the arrival of the Engliſh fleet, commanded by admiral Ruſſel.

May.

June.

In Piedmont, ſecret negociations, carried on between the French and the duke of Savoy, rendered both armies inactive.

On the Rhine, prince Lewis of Baden failed in repeated attempts to bring the French army, commanded by the marquis de Lorges, to an engagement. He was ſucceſsful in getting poſſeſſion of Wiſe-lock; and, after deſtroying ſome of the French magazines, repaſſed the Rhine [39].

Meeting of the ſixth ſeſſion of the ſecond parliament.

The king arrived from Holland on the 9th of November; and the parliament met on the 12th. He referred to the ſucceſs of the campaign in expreſſions of moderation, ſuitable to the true ſtate of events. The neceſſity of large ſupplies was urged; and it ſoon appeared, that the king was determined to make a very deſirable conceſſion to the nation, in order to encourage their liberality. An act for ſhortening the duration of parliaments run through the forms with celerity; and almoſt without any oppoſition in either houſe [40].

An act for triennial parliaments.

Supplies.

The ſupplies kept pace with the triennial act, and exhibited the reciprocal good will, which now ſubſiſted between the ſovereign and his parliament. Near five millions were cheerfully granted for the expences of the war [41].

[39] Life of William, vol. ii. Hiſtoire de France, tom. iii. Lives of the Admirals, vol. ii.

[40] Though it was enacted by the bill, that no parliament, after the preſent, ſhould be continued more than three years; yet the preſent ſubſiſting parliament might be continued, if the king pleaſed, till the firſt of November in the following year. For this reaſon a proteſt was entered againſt it in the Journals of the Lords, but it was ſigned only by four peers. Journ. Lords, 18th Dec. 1694.

[41] Journ. Commons, Nov. Dec. 1694. Jan. &c. 1695.

The

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1694.
Death of queen Mary. Her character.

The death of the queen, on the twenty-eighth of December, interrupted the proceedings of parliament, and was ſincerely lamented, both on account of her private virtues, and the ſhock which it was likely to give to the new government. Few characters have been more extolled by friends, or more virulently traduced by enemies, than that of Mary. Unconnected with, and uninfluenced by party, we can be at no loſs to perceive, that her friends have founded their encomiums, upon the evidence of a temper and qualifications honourable to the human character; while the detraction and calumny of her enemies referred to facts extremely doubtful, and to circumſtances, occaſioned by the peculiar difficulties of the part ſhe was called upon to act. She poſſeſſed, in an eminent degree, all thoſe accompliſhments and graces, which conſtitute the merit of her ſex in domeſtic life. Her affability, mildneſs, and delicacy, captivated the affections of her companions and dependants. Such dexterity and prudence in the management of parties, ſuch diſcretion and activity in the moſt critical ſtate of affairs, have rarely been found in a perſon, ſo little addicted to oſtentation, and ſo averſe to interfere in public buſineſs. So devoid was ſhe of ambition, and ſo indifferent to perſonal grandeur, that ſhe not only rejected the ſervices of thoſe, who were diſpoſed to prefer her right to the crown before that of her huſband, but ſhe would not even participate of the adminiſtration while he was in the country, nor did ſhe ſo much as aſpire at the influence, to which her ſtation and merits entitled her. Her exemplary devotion, her zeal for the proteſtant religion, her conſcientious diſpoſal of eccleſiaſtical preferments, her patronage of uſeful deſigns, and application to good works, render her memory precious to the friends of religion and virtue. If, upon particular occaſions, natural affection ſeemed to be languid, or ſuſpended; if ſhe appeared harſh and undutiful, by conſenting to the dethronement of her father, or by eſpouſing, with apparent animoſity, the quarrel of her huſband with her ſiſter, her conduct in ſuch inſtances may be fairly aſcribed,

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not only to a refpect for her duty as a wife, but to the fingularly critical fituation of him, to whom fhe ftood in that relation. Nothing lefs than the moft cordial and unequivocal approbation of the conduct of her hufband, could have obtained, or preferved to him, that authority, which he derived from his relation to her. Whatever painful emotions fhe might feel, from the difgrace of her father, or from coming to a breach with her fifter, yet prudence required the concealment of them, to fecure the reputation and fafety of that perfon, who was the deareft object of her affection, and the profperity of that caufe, which, from the pure influence of principle, fhe was zealous to promote.

The hope of the friends of James excited.

The death of the queen gave a new fpring to the hopes of James and his friends[42]. Her popularity, and her prudence in domeftic life, and in the exercife of government, had hitherto divided the affections of many, whofe principles were favourable to the lineal fucceffion, and difcouraged the exertions of her father's adherents. The members of the prefent parliament, deeply involved in the fuppofed crime of William's ufurpation, by the meafures they had taken to eftablifh it, and by the offices and emoluments which they derived from his authority, were induced, by every confideration of fafety and intereft, to keep a vigilant eye upon the friends of James, and exercife their public and private influence, to defeat every plan for reftoring him. But it was naturally expected, that, upon the death of Mary, a great proportion of the influence, which had hitherto fupported her hufband, would revert to her father. Under this impreffion, the approach of a new election was deemed an event fingularly favourable to his intereft; and it was believed, that reprefentatives would be returned, unconnected with the prefent government, and free from all ties to give it any fupport. The triennial bill, however, as we fhall foon have occafion to fhew, con-

[42] Life of James, 1695.

tributed,

tributed, with other causes, to produce effects, the reverse of those, which seemed so probable in speculation.

CHAP. XIV.
1695.
Inquiry into the prosecution of the gentlemen in Lancashire, suspected of a conspiracy against government.

An unsuccessful attempt was made, in the course of this session, to cast an odium upon the king and ministry, by bringing under the inspection of parliament a prosecution, carried on the preceding summer, at the instance of government, against several gentlemen of Lancashire, for receiving commissions from James, and making preparations for an insurrection in his favour. The prosecution had failed for want of evidence of the charges, and one of the informers ha[illegible]ared, under the solemn professions of repentance, that the w[illegible]as a malicious plot, which they were encouraged to invent by the solicitations and rewards of government. The trials were discontinued, and unfavourable impressions of the king and his ministers left upon the minds of the people. To render their triumph more public, and more disgraceful to government, the gentlemen, who had been prosecuted, now brought their complaint into parliament, under the auspices of opposition. They were disappointed of success; for, after the examination of evidence, and of various papers relative to the subject, both houses agreed, that there had been sufficient ground for instituting the prosecutions, though they had not terminated in the conviction of the persons suspected [43].

[43] In political history events often occur, so mysterious and perplexing, as to exercise ingenuity in balancing the weight of evidence, in order to fix an opinion concerning any matter in dispute. The Lancashire plot was of this kind, and divided, not only, the sentiments of the nation, but of men of the same political principles. Most of the friends of William, notwithstanding the issue of the trials, gave credit to the existence of the plot. The partisans of James, many who stood neutral to any party, and even some of the friends of William, disbelieved it. As the infamous character of Taffe, who first joined in the information, and afterwards retracted, not without suspicion of his being disappointed of the rewards he expected, or bribed by the friends of the Lancashire gentlemen, still left many in doubt with respect to the innocence of the latter, notwithstanding the deficiency of proof, so the coincidence of the supposed crimes, with the actual intrigues of the agents of James, in England, and with the tenour of the correspondence held with his friends there at that period, will now remove every doubt concerning its reality.

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Discovery of corruption.

Some remarkable discoveries, in the course of this session, made it evident, that the jealousy of the nation concerning the prevalence of corruption in parliament, was but too well founded, and increased their impatience for its dissolution. The unexpected and sudden conclusion of the business of the East-India company, and of the London orphans, which had been depending during successive sessions, awakened the suspicion of corrupt influence. From an inspection of the books of the East-India company, and the examination of witnesses, it appeared, that great sums of money had been paid to members of parliament, and persons of interest at court, for obtaining the renewal of their charter: and that particularly five thousand pounds had been left with a servant of the duke of Leeds, upon strong circumstances of suspicion, that it had been done with his consent, or accepted by him. The commons drew up articles of impeachment against the duke; but were prevented from proceeding in them, by the dissolution of parliament.

The same laudable spirit of investigation brought to light another example of corruption, which, as it was attended with clearer evidence, reflected at the same time more immediately upon the house of commons. The settlement of the debt, due to the orphans by the city of London, which had been solicited in vain during several sessions, was at length obtained. The credit of parliament for integrity and justice must have been sunk to a low ebb, when suspicion went abroad, that this had not been accomplished without nefarious influence. The suspicion was but too well founded, for sufficient evidence was produced, that sir John Trevor, the speaker of the house of commons, had received a bribe of a thousand guineas, for the service he had done in this affair[44]. For this offence he was justly expelled the house.

This

[44] Journ. Com. 12th, 13th, 14th, 16th March. State Tracts, T. W. The persons in the government of the city of London had spent very large funds, which had been bequeathed for the maintenance of orphan children. It is asserted, that these funds were infamously squandered

Parliament prorogued.

This ſeſſion of parliament ended by prorogation on the third of May; and the king, after having veſted the regency in the hands of commiſſioners, departed to Holland.

d[illegible]ed in extravagant entertainments and rejoicings in the city, on the reſtoration of Charles II. Cocke's Detection. By the act now obtained, the lord mayor was enabled to ſettle a fund for the raiſing money to pay the annual intereſt, at four per cent. for the whole debt.

## CHAP. XV.

*Obſervations upon political Revolutions in general.—Peculiar Dangers which threatened the Revolution in England.—Correſpondence with the Court of Saint Germains.—Evidence of it.—Reaſons for Caution in drawing Concluſions with reſpect to the Guilt of Individuals engaged in that Correſpondence.—Their different Motives and Intentions.—Doubts of the Sincerity of his Correſpondents, expreſſed by James and his Agents.—Strong Reaſons for ſuſpecting that ſome of them were not ſincere.—Concluſions from the whole.—Cauſes of preventing the extreme Dangers impending over the Government of England.—Backwardneſs of Lewis in aſſiſting James.—Diviſion of Sentiment among his Friends.—Increaſing Reputation of William—and Contempt for the Character of his Rival.—Various Events which contributed unexpectedly to ſtrengthen the new Government.*

CHAP. XV.

Obſervations upon political revolutions in general.

REVOLUTIONS in ſtates and kingdoms exhibit both the moſt pleaſing, and the moſt diſguſting portraits, of human character. When artificial ſubordination, eſſential to regular government, is ſuſpended, genius and abilities are called forth to a fair competition for the prize of honour; and aſcend to the higheſt pitch of improvement, and ſplendour. The hiſtory of every country, in this ſituation, abounds with examples of eloquence, courage, integrity, and patriotiſm. But the ſame cauſes alſo operate, in the ſame ſituation, to increaſe corruption and crimes. Every example of change, by weakening the authority of government, removes one of the moſt powerful reſtraints upon the unruly paſſions of men; and, by preſenting new temptations and covers to ambition and avarice, conducts their votaries to the moſt conſummate depravity.

The ſudden elevation of individuals, from the moſt obſcure ſtation, to power and proſperity, excites the envy and emulation of thoſe

who

who ſtood originally, and ſtill remain, upon the ſame level. It is only by the continuance of anarchy, that ſuch perſons can hope to gratify theſe paſſions, and to raiſe their own importance; and hence, an interval of confuſion and violence uſually takes place, between the downfal of the ancient, and the eſtabliſhment of the new government. Many, who begin oppoſition to eſtabliſhed government from the pureſt principles of patriotiſm and virtue, afterwards come to dread exceſs of innovation; and to diſcover ſuch ſelfiſhneſs and treachery in their aſſociates, that they grow weary of the ſtruggle, and are tempted to reſign more liberal plans, for ſecuring perſonal ſafety, and the intereſt of their families.

The diſappointment of the multitude, who had been encouraged by their leaders, to expect a total exemption from inconvenience, or a perfection in executive government inconſiſtent with the infirmities of human nature, render them at laſt cold and indifferent about ſupporting thoſe meaſures, which were firſt promoted by their zeal and activity. When the fermentation, excited by tyranny and oppreſſion, has ſubſided, a veneration for ancient cuſtoms reſumes its influence over the mind, and cheriſhes a general inclination in the people, to return to the civil inſtitutions and hereditary authority, which have been conſecrated by the remote and uninterrupted ſubmiſſion of their anceſtors. Hence the great uncertainty of the ſucceſs of thoſe, who embark in any plan for accompliſhing a revolution in government, or of maintaining ſuch a revolution, after it has been accompliſhed.

Peculiar dangers which threatened the revolution in England.

With theſe general cauſes peculiar circumſtances concurred, to endanger the ſtability of the new ſettlement in England, and to render William's tenure of power extremely difficult and precarious. A juſt eſtimate of theſe is neceſſary, to underſtand the true ſtate of political affairs, and the characters of the moſt celebrated perſons, at the period of which I treat. I have therefore reſerved the detail of them for a ſeparate department of this work, in order that I might exhibit

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exhibit them with more perſpicuity and minuteneſs, than what could have been done in detached views, and by a ſtrict adherence to chronological order.

William's aſpiring to royal dignity, ſeemed inconſiſtent with the terms of his declaration, and planted the ſeeds of diſcontent in the breaſts of many, who had heartily concurred in ſoliciting his interpoſition to obtain the deliverance of the nation. The ſettlement of the crown upon his head, independent of the right which he derived from his wife, had been long oppoſed by one branch of the legiſlature; and their conſent to it at laſt was yielded with reluctance, and in compliance with neceſſity.

The preferment of ſome, who had been acceſſory to the moſt reprehenſible meaſures during the preceding reign, and the diſappointment of others, who had been uſeful inſtruments in the revolution, provoked the reſentment of many of his new ſubjects.

Where neither claims to favour, nor complaints of diſappointment ſubſiſted, motives of prudence might induce perſons of the firſt influence, to withhold their ſupport from a government ſurrounded with hoſtility and danger. The conſtitution of the king, feeble and ſickly; his fatigues and dangers, in the camp, and in the field of battle; the formidable preparations of France for reſtoring James, and the ſtrong attachment of a great part of the nation to his family, were circumſtances, which, at a fair rate of calculation, depreciated the condition of thoſe, whoſe proſperity or expectations depended upon the ſafety, and continuance of the new government.

In the progreſs of this reign, events unavoidably occurred, which produced a great alteration in the ſentiments and attachments, both of individuals and parties, with reſpect to the new ſettlement; and which emboldened the reſolutions, and encouraged the conſpiracies, of the diſaffected. The early diſſolution of the convention parliament, however neceſſary that meaſure might be, rankled in the breaſts of the whigs; and, for ſome time, threw the king into the arms of a

party, who ſupported him from fluctuating motives of intereſt, or from the more laudable principle of reſpect to their religion, without any tie of perſonal attachment. The apparent violation of external forms of juſtice, and a neceſſary ſeverity, exerciſed in the puniſhment of ſome of thoſe perſons who had been convicted of conſpiracies, were unfairly compared with examples of tyrannical oppreſſion in the preceding reign, and, by changing the object of indignation, impaired that ſecurity, which the new government would otherwiſe have derived from the confidence and good opinion of the people.

The nation in general had connected the idea of ſettling the crown upon William, with that of humbling the power of France, and they had fondly promoted his elevation, as he appeared to be the fitteſt inſtrument of gratifying their ambition or reſentment [1]. But the immenſe burden of taxes neceſſary to the ſupport of a war, little compenſated by the glory of victory, or the proſpect of future and ſubſtantial advantage, made the continuance of it unpopular, and divided the ſentiments of the prince and his ſubjects. The detection of groſs corruption and peculation in perſons veſted with the higheſt miniſterial offices weakened the reputation of government, and rendered the virtuous and independent part of the nation leſs anxious, when they heard of the dangers with which it was threatened. Upon the review of all theſe circumſtances, we are leſs ſurpriſed, when we read of the variable ſentiments and inconſiſtent conduct, aſcribed to individuals and parties, or of the plots, the conſpiracies, and near approaches to another change of government, which fill the period immediately ſubſequent to the Revolution.

Correſpondence with the court of St. Germains.

The early and uninterrupted correſpondence between the exiled prince and many perſons of the firſt rank and influence in England, perſons who were employed in the court of William, as well as

[1] The people of England in general entertained the moſt ſanguine expectations of the ſucceſs of the war with France: odds were laid in many hundred wagers, that king William would be in France before Chriſtmas 1689. Oldmixon, vol. ii.

thoſe who were in oppoſition to it, is a diſcovery lately opened to the public; and, in all its circumſtances, may be conſidered as one of the moſt curious and intereſting occurrences in the political annals of any nation. While the obſcurity, which has hitherto reſted upon this ſubject notwithſtanding multiplied chances of detection, excites ſurpriſe; the number and eminence of the perſons engaged in a correſpondence with the court of Saint Germains; and the contradiction it exhibits, between their true and aſſumed characters, give riſe to ſome of the moſt unpleaſing, though, perhaps, if properly improved, not the moſt unprofitable feelings and reflections that can occupy the mind.

No ſooner was William placed upon the throne, than James received the ſtrongeſt aſſurances, not only of the ſteadineſs and perſevering loyalty of thoſe who never had deſerted him, but of the repentance and returning affections of many perſons of diſtinction, who had been moſt active in accompliſhing the Revolution. Individuals of every party were addreſſed by the agents of James in England, and ſeemed to liſten, with a favourable ear, to propoſals for re-eſtabliſhing his authority. Stated meetings were held in London, to which perſons, whoſe loyalty to William was not ſuſpected, and who were inveſted with offices of the higheſt truſt, reſorted, and, in concert with the known friends of James, conſulted concerning the moſt effectual plans for promoting his intereſt.

Others gave a more unequivocal and dangerous teſt of their attachment to the exiled king, by entering into epiſtolary correſpondence with him, and ſoliciting his inſtructions with reſpect to the conduct he wiſhed them to obſerve, in order to afford them an opportunity of confirming the ſincerity of their profeſſions, by actual obedience to his will. Many original letters, now publiſhed, place beyond poſſibility of doubt, the duplicity, ſelfiſhneſs, and treachery, of ſome of thoſe perſons, who are held forth by contemporary hiſtorians, as having the ſtrongeſt claim to the praiſe and gratitude of

their

their country, for their services in accomplishing and maintaining a revolution of government, so important to national liberty and happiness [a].

Evidence of it.

However unwilling we may be to yield to impressions, which not only tarnish characters recommended to us by the prejudices of education and by patriotic gratitude, but which bring disgrace upon human nature, yet there is not the shadow of reason for suspecting the authenticity of the collection of letters between James and his correspondents, and the various papers and memorials relative to his affairs, lately published by Mr. Macpherson. From evidence as clear and satisfactory as the nature of the thing can admit, we are bound to receive these letters, as genuine copies of original letters written by the persons to whom they are ascribed. If the hypothesis of their having been forged, either at an earlier or later period, could enter into the imagination of any candid enquirer after truth; if any purpose of such forgery could be assigned; yet there are various concomitant circumstances, which, together with strong internal evidence, confirm their authenticity, and demand a due respect from every person desirous to understand the history and transactions, to which they relate. Anecdotes, which have descended to the present times through the channel of tradition, the testimony of contemporary authors, and the light which the contents of these letters throw upon political events, mysterious at the period of their occurrence, all conspire to confirm the accounts of the intrigues, the treachery, and the plots, which they contain, and warrant our admission of them, with certain qualifications, as a legitimate proof of historical facts.

Besides the evidence of attachment to James, derived from the letters of so many persons, who were in the course of corresponding with him, his agents in England transmitted the names of others, who had repeatedly given the strongest verbal assurances of their willingness, to co-operate in any plan for promoting his views of reco-

[a] Life of James, 1692. Extract 1st. Macpherson's State Papers, 1692-3-4-5 6.

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vering the throne. Among these we find the names, not only of persons of noble rank, and of extensive property and influence, but of some, who were intrusted with responsible offices and enjoyed the power and opportunity of carrying their treacherous designs into execution. Lords lieutenants of counties, admirals, generals, privy counsellors, are mentioned as ripe for revolting against the prince under whom they held their commissions. Many of the clergy who had taken the oaths, as well as those who declined to swear allegiance to William, are represented as so desperately disaffected to his person and government, that sir John Friend, who afterwards suffered for treason, undertakes to bring a whole regiment, consisting of that order, to support the title of James, as soon as he should set his foot in England. The army and navy are described as prone to revolt; the former disgusted by the partiality of their new sovereign to foreigners, the latter justly irritated by the irregular and deficient payment of their wages. The most opulent and populous cities swell the catalogue of the friends of James, and it should seem, that nothing but his own courage and exertion were necessary to re-establish him in the authority from which he had fallen[a].

Such is the general tenor of the letters and memorials, which passed between James and his correspondents and agents in England, published by Mr. Macpherson in his first volume of State Papers.

Reasons for caution in drawing conclusions with respect to the guilt of individuals engaged in that correspondence.

Although there can be no reason to scruple about admitting these, agreeably to the assertion of the publisher, to be fair copies of the original letters and papers, the titles of which they bear, yet very different opinions may be entertained of the measure and force of evidence they convey, either with respect to the state of political events, or the characters of persons concerned in them. If circum-

[a] Sir George Barclay's Memorial, 28th Dec. 1693. Captain Williams, ibid. Memorial presented at Versailles, 4th January 1694. Proposals from the earls of Montgomery, Ailesbury, Yarmouth, &c. Macpherson's State Papers.

stances,

ftances, recently brought to light, have, in any one inftance, conftrained us to renounce an opinion, to which we formerly adhered with fondnefs and obftinacy, this may be a reafon for our being more diffident with refpect to other opinions, to which we are equally partial; but it cannot be a fufficient reafon for utterly refigning them, till we have fcrupuloufly examined every argument, which tends either to fupport or confute their authority. Few perfons, however, are fo guarded, as to reftrict the influence of analogical reafoning within its proper limits, and to make a diftinction in judging of cafes, where the fame external appearances prefent themfelves to the eye, though the intrinfic circumftances would often be found, upon patient inveftigation, to be totally and effentially different. A perfon, who has had the misfortune to detect the difhonefty of a fervant in whofe fidelity he abfolutely confided, is too ready to harbour fufpicions and mifconftrue appearances, to the interruption of his own tranquillity and the injury of others, who have been invariably faithful and difinterefted in the difcharge of the trufts committed to them. The palpable and incontrovertible treachery of a few individuals, who had been long dignified with the name of patriots, too readily difpofes the mind to acquiefce, without waiting for proof, in the groundlefs calumnies, which have been levelled againft immaculate characters. In order to form an impartial judgment of the ftate of politics, and of the conduct of individuals and parties, we ought to weigh, with fcrupulous exactnefs, every particle of evidence adduced upon either fide of controverted queftions, and carefully to difcriminate between thofe circumftances, which eftablifh a fimple, pofitive, and direct proof; and that fpecies of evidence, which arifes from the opinion, prejudices, and fanguine views, of perfons deeply interefted in the fcenes which they defcribe, and who muft have been convicted by their own minds of that guilt, in which they are fo anxious to affociate others. A great diftinction ought therefore to be made, between thofe

those actually found in correspondence with the court of Saint Germains, and those, who are only mentioned by agents as favourable to that interest, and approving of plans communicated to them for promoting it. There may be various reasons for suspecting the sincerity of persons of the last description, in the sentiments and attachments they professed, while there can be little or no reason for entertaining any doubt, with respect to the guilt of persons of the first class, who were personally engaged in correspondence with James, and spontaneously tendered their services. The agents of James, desirous to set off their own merits to the best advantage and to obtain his approbation, were under a strong temptation to describe their success in the most flattering strains. A sincere zeal for the interest of their master would naturally render them less scrupulous in adhering to truth, while they transmitted to him such accounts of his affairs as were calculated to encourage his heart, naturally prone to despondency, and to allure the aid of the French king, essential to the success of any plan for raising their depressed fortune *. Had Lewis believed that the number of James's adherents was so considerable, and their zeal as ardent, as represented by his agents, it is difficult to conceive, notwithstanding the defeat of his fleet at La Hogue, why he should have so long delayed, and, after all, with so little earnestness attempted a second invasion of England. How could he have turned his arms to better account, than by restoring James to the throne of his fathers, and transferring the resources of England, from the disposal of an irreconcilable and powerful enemy, into the hands of his firmest friends? Would not such a measure, more effectually than all his victories upon the continent, have overturned that confederacy, of which William was the life and spirit; and who, more than all the other members of it, controlled and thwarted his ambitious plans? Some of the persons in England, who were affectionately attached to the interest of James, but who

* Mr. Nosworth's Report 1694. Charnock's Report 1695. Ibid.

 exercised

exercised greater caution and deliberation in conducting their inquiries about the temper and inclinations of the people, or who had better opportunity of information, are far from holding out such alluring views of success, or maintaining such confidence in the power and multitude of his friends, as are conveyed by the general strain of the memorials and letters transmitted to him by his agents[5].

Their different motives and intentions

There are also obvious and plausible reasons for calling in question the true intention of many of those, who are enrolled among the partisans of James, and even represented as taking a more active part in his cause, by admitting his agents into their company, and occasionally consulting with them upon the state of his affairs. Persons of a timid disposition, or anxiously attentive to their private interest, whatever their affections and wishes might be, would be extremely fearful of incurring his resentment, lest he should again fill the throne of England; and they would be equally cautious of excluding themselves from future preferment, either by openly disapproving of, or revealing, any schemes imparted to them by his friends, in full confidence of their being faithfully attached both to his person and the interest of his family. It ought also to be observed, that the connection of blood and alliance would naturally have a considerable influence in directing the solicitations, and raising the hopes, of the family at Saint Germains. The earl of Marlborough was uncle to the duke of Berwick, and married to the sister of lady Tyrconnel. Lord Middleton, one of James's secretaries, was uncle-in-law to the earl of Shrewsbury. The intimate connection of these, and others in administration, with persons who adhered to James in his exiled state, would expose them to the more frequent access and importunity of his agents, while, from the motives already recited, we may believe they would be unwilling, if they could avoid it, to fall into desperate terms with that interest, which might, in the course of chances, prevail. From all

[5] An anonymous Letter from a Person in England to his Friend at Paris, 17th August, 1694. Mr. Mac Adams's Letters, ibid.

these

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these considerations it was naturally to be expected, that individuals, who were addressed by the agents of James, would often be represented as consenting to, or participating of, measures, to which they were by no means friendly in their hearts[6].

While the agents of James in England embraced every opportunity to avail themselves of the disappointments and passions of private persons and parties, it is no wonder, if, in an unguarded moment, and under the impression of resentment, their addresses were sometimes entertained with such apparent approbation, as encouraged them to add, to the list of their friends, the names of individuals, who probably soon repented of any rash resolution they might have formed, and would not have stood to it if they had been actually put to the trial. For several years after the Revolution, a change of government in England was an event at least as likely to happen, as a change of ministry is now, in our present state of political tranquillity. No wonder then, if persons, who were not susceptible of strong attachments, should be disposed to do every thing for securing their own future safety and interest, whatever the event might be. It may be farther observed, that men of very good intentions with respect to the public, who were strangers to that secret information, which was the ground of

[6] Nothing can place in a stronger light the insincerity, or the want of power, of James's adherents, than the inconsistency of their conduct with their own professions, and with the instructions which they received from him. Take, for an example, the fifth session of the second parliament, which met 7th November, 1693. During the whole of this session, the commons were obsequious to the inclinations of the court, and most liberal in granting supplies; while the instructions, sent by James to his friends at this very period, suppose their interest to have been considerable, and require them to exert themselves in opposition to the court, particularly by obstructing the supplies. "Try all the "ways you can to hinder the prince of Orange "from getting money, especially the general "excise; and, if it be not possible to hinder "him from getting money, endeavour to re"tard it, that it may make all his preparations "for the next campaign as late as may be." Instructions to the Church of England, 16th October, 1693.

"Endeavour by all means to embroil the "affairs of the prince of Orange, and that his "majesty's friends join heartily together to "cross his inclination and interest in all things, "and that they be ready to join with any "party which shall appear against him, &c. "&c." Macpherson's State Papers, 1693. To the same purpose, a paper entitled, Instructions to the Earl of Danby, Lord Godolphin, and Churchill.

of public meaſures, might often be at a loſs where to fix their wiſhes, or what conduct they ought to purſue, as moſt effectual to promote the welfare of their country. The critical ſtate of government ſometimes obliged the king to take meaſures apparently contradictory to that patriotic ſyſtem, which he profeſſed to eſtabliſh. Such perſons might perhaps think it probable, that, by a new revolution, more liberal conceſſions might be obtained from the crown in favour of the people, and the conſtitution farther improved. But what we are principally to attend to, with reſpect to thoſe who did not act from the pure influence of principle, is, that their compliance with the engagements, into which they entered with James or his agents, was evidently to be guided by the ſtream of accidents, and the views they entertained of his future ſucceſs. If an opportunity occurred, of acquiring emolument and honour under the preſent government, they would not neglect it. This was certainly the ſafe ſide. Should government change, they might plead neceſſity, perhaps even conſcience, for having been faithful to the truſt repoſed in them. Under theſe impreſſions, the earl of Marlborough, Ruſſel, and others, advanced their own fortune and reputation, and the glory and proſperity of England; and contributed, without intending it, to the excluſion of the prince and family, whom they wiſhed to replace on the throne.

Coincident circumſtances produce different degrees of belief, with reſpect to the guilt of the perſons, accuſed of having carried on ſecret correſpondence with James, while they maintained the profeſſion of allegiance to William, and even held offices of truſt under him. The conduct of Marlborough, who had formerly deſerted James, after having been loaded with favours, would naturally have prepared the mind for giving more eaſy credit to his treachery to William; though the evidence of it had not been ſo accumulated and powerful as to overcome the moſt inveterate ſcepticiſm. Admitting that Marlborough renewed his correſpondence with James, with the ſincere purpoſe of

serving him, we will not either be surprised or incredulous, when we read, in the Collection of State Papers so often referred to, a letter, from the princess Anne to her father, expressing the deepest concern for having deserted him; and, with the most anxious solicitude, imploring forgiveness and reconciliation [7]. The ascendency of Marlborough over the mind of that princess, the rupture which happened about that time between the royal sisters, and the indecent animosities which attended it, are strong corroborative evidences of the truth of the fact, though the authority, upon which it is delivered to us, had not been sufficient to exclude every possibility of doubt.

Doubts of the sincerity of his correspondents expressed by James and his agents.

There are also many circumstances, which, if fairly and minutely attended to, render it extremely doubtful, whether other persons, who are named in the list of correspondents of James and who conversed with his agents in England, were sincerely and steadily attached to his interest. James himself, after receiving the most flattering accounts concerning the affection and power of his friends, expresses distrustful apprehensions, lest their professions of friendship should be employed for the insidious purpose of detecting and frustrating his designs. He appears to have been suspicious of the sincerity of Russel, notwithstanding the repeated and warm declarations of attachment, which that commander made to his agents [8]. Colonel Sackville, the most faithful and assiduous of them, in a letter to the earl of Melfort, expresses himself in the following words: "I am "not deceived in the judgment I formed of Russel; for that man "has not acted sincerely, and I fear he will never act otherwise [9]." Lord Marlborough complains to James, that Russel had concealed from him the most important intelligence; namely, the destination of the English fleet to burn Brest, and the time of its sailing [10].

Strong reasons for suspecting that

It may be farther observed, that there are very specious reasons for suspecting, that some of those persons, who at first embraced the

[7] Life of James, 1692.

[8] Ibid.

[9] Letter to Melfort, 3d May 1694. Macpherson's State Papers.

[10] Churchill's Letter to King James, May 1694; ibid.

opportu-

opportunity of corresponding with James and assisting his counsels, might continue that correspondence, after their intentions were changed, perhaps, for the very purpose of being useful to William[u]. The earl of Shrewsbury and lord Godolphin were both detected in their correspondence with James; and, if William had been of a disposition resentful or sanguinary, might have been consigned to the last disgrace and punishment human laws can inflict. With unparalelled generosity, he not only pardoned, but employed them: he not only employed, but trusted them[x]. Suppose that these persons, monuments of his mercy, had been dead to every feeling of gratitude and generosity, was it possible, if they had been endowed with the smallest portion of prudence, that they could ever have ventured to tread again in the dark path of treachery? The eyes of William, they must have been aware, would ever after be fixed upon them with suspicious circumspection. He was vigilant, inquisitive, penetrating. At no period was the restoration of James an event so probable and near, as to induce them to incur any eminent hazard from the expectation of its taking place. Nay, so entirely was Shrewsbury restored to the confidence of William, that he was always consulted by him in the season of perplexity and distress, when affection principally directs the choice of counsellors. If Shrewsbury and Godolphin are recorded among the friends of James after the event mentioned, it is natural to conclude, that James and his court were deceived by their professions made to him at an early period; or, if they again entered into correspondence with him, the same reasons will incline us to believe, that they must have done so, with the connivance of William, and with the purpose of rendering it subservient to his intentions and designs.

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Some of them were not sincere.

The name of Sunderland, recorded in the list of the correspondents of James, raises the authority of these conjectures; and can hardly

[u] Floyd's Accounts carried to Versailles, 1st May, paragraph 7th; compared with Churchill's Letters, 6th May 1694. [x] Dalrymple's Memoirs, vol. i. p. 499.

indeed be accounted for otherwise, than upon the supposition, that such a correspondence was known to William and encouraged by him. From the past conduct of Sunderland, familiar to the reader, it will not be suspected, that any ingredient of honour or generosity could enter into his character. From no motive of interest could he possibly be induced to renew his correspondence with James. Though the door of the court had been shut against him in London, yet there remained to him no ground for hope, of profiting by another revolution, and of recovering the confidence and favour of James if ever restored to the throne. But when it is observed, that, at the very period in which Sunderland was engaged in correspondence with James, and tendering his services to that prince, he was ascending in influence with William, and that he already enjoyed the opportunity of gratifying every wish of ambition and interest, there scarcely can remain a doubt, with respect to Sunderland's having renewed his correspondence with the permission and authority of William [13]. No motive, but the singular usefulness of Sunderland, could have induced a person, of William's sagacity and caution, to give any share of his confidence to a man so deeply criminal, and so odious to all parties in the nation. It is no objection to the supposition now made, that we find the earl of Arran, the unsuspected friend of James, attesting the sincerity of Sunderland, who was his relation; or that Sunderland advises James to make a descent upon the coast of England, as the most speedy and effectual measure to restore his fortune [14]. Arran, nowise distinguished by acuteness of discernment, might himself be the dupe of Sunderland's intrigues; and, with respect to Sunderland's pressing an invasion of England, it was the common advice of all the agents of James at that time, and the most acceptable subject that could be introduced in a correspondence with him. Notwithstanding the repeated professions of repentance by

[13] Burnet, 1693.

[14] Macpherson's State Papers, January 1694-5. Letter to James, 1695.

Sunder-

Sunderland, and the attestations of his sincerity, Middleton, one of James's secretaries, warns his friends in England to be upon their guard against the treachery of some, who had deceived them under the profession of friendship; and, in an allegorical letter to an English peer, hints his suspicions of the treachery of Sunderland [5].

Conclusions from the whole.

But, after all the researches that have been made, and the various conjectures that may be formed, it must be acknowledged, that great darkness and mystery still rest upon the period and transactions, of which I have been giving an account. Enough, however, appears to sustain the following conclusions; namely, that, during the whole reign of William, his person and government were exposed to extreme danger; that, from his coronation till his title was acknowledged by the French king at the peace of Ryswick, a correspondence was constantly carried on between James and many persons of the first rank and influence in England; that individuals of every party, and even some of those, who had been the most zealous agents in the revolution, were accessary to that correspondence; that many conspiracies were formed, and very considerable preparations made for restoring the authority of James; and that, even the most base and atrocious designs were set on foot, to put an end to the power and life of William. While we trace the disappointment of these to the superintendency of Providence, it will be both instructive and entertaining, to attend to the external means, by which the designs of Providence were effected; or to inquire into the causes, which, from time to time, counteracted, and at last surmounted, the most complicated and enormous dangers impending over the new government, and rendered its preservation no less extraordinary, than the fruits of it have been precious.

Causes of preventing the extreme dangers impending over the government of England.

Backwardness of Lewis in assisting James.

1st, The expectations of the friends of James, and the execution of all their plans and conspiracies to recall him to the throne,

[5] Letter from Middleton to monsieur Ponchartrain, 27th June 1694, paragraph 5th, in the note. Letter of Middleton, 2d August. Macpherson's State Papers, 1695.

depended,

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depended, in a great measure, upon the aid of Lewis, whose attachment, they found, after various trials, to be neither so disinterested nor so active, as they fondly believed. The liberal grants of money to William; an army numerous, well disciplined, and consisting, in a great proportion, of foreigners; discouraged any attempt of the adherents of James, to erect his standard in England, without a considerable reinforcement of French troops. To the French king, therefore, they turned their eyes, with confident expectation; because he seemed to be stimulated, by every motive of affection and interest, to espouse the cause and wish for the prosperity of James. If Lewis was perhaps the only sovereign in Europe, who lamented the degradation of James, so the latter was the only prince, led by inclination, to prefer the alliance of the former to that of the confederate states. The one was almost assured, that, by restoring the power of the other, he would detach England from that alliance, which was formed to obstruct and defeat his ambition. Notwithstanding the importance of the object, and the reciprocal professions of attachment between these princes, Lewis seems to have listened with coldness and disrelish to any proposal made to him, for cooperating with the friends of the dethroned monarch[16]. He was dilatory and reluctant in the execution of any enterprise, which had for its immediate object the restoration of James. After the defeat of the French fleet at La Hogue, no serious plan, for effecting that end, seems to have been projected by the court of France, till the beginning of the year 1696, when a large body of troops was drawn together on the opposite coast, in order to embark for England. The abrupt desertion of this expedition, under pretence that the friends of James in England had not performed the condition, upon which the embarkation of the French army was promised, awakened in their breasts distressful suspicions of the French king, and almost

[16] Letter of Middleton to l'abbe Renaudot, 2d October 1694. Macpherson's State Papers.

extinguished

extinguished their hopes of deriving any future aid from his interposition.

The presence, and behaviour of James, were ill calculated to acquire the esteem or affection of those among whom he lived. While an abject superstition, and an ascetic devotion, procured him the unprofitable adulation of sequestered monks and bigotted priests, they exposed him to the contempt of the warrior, and the ridicule of the courtier, who alone, by their exertions and interest, could effectually contribute toward the restitution of his depressed affairs. A certain malignant destiny seemed to blast all his projects, and banished the hope of success from every enterprise, in which he was personally engaged [17].

[17] The accounts transmitted to us, concerning the behaviour of James after he left England, by those who meant to praise him, exhibit the most despicable and ludicrous picture of enthusiasm and superstition. He used to thank God, for having taken from him three kingdoms, and awakened him from the lethargy of sin; and that, if it had not been for that event, he would have been lost for ever. He submitted to the most severe fastings and mortifications: he carried certain days a chain of iron, with very sharp points, fastened about his body: he performed this severe discipline with such humility, that he was put into the greatest confusion, when he happened one day to be discovered by the queen: he used to express a strong desire of death, and held it to be the duty of every Christian to do so. Abregé de la Vie de Jaque II. par le Pere Francois Bretonneau, Paris 1743, pages 62. 70. & passim.

A French author, Le Compte Bossy Rubutin, speaking of the miscarriage of La Hogue, uses these expressions: " La malheureuse etoile du " roy d'Angleterre fit échouer ce projet. Si le " roy (viz. Louis) l'eust conduit tout seul, " la fortune, a song ordinaire, auroit vrai- " semblablement favorise sa bonne conduite, " p. 326."

James himself seems to have entertained a mortifying sense of his own bad fortune. In his letter to Lewis, after the defeat of La Hogue, he says; " I know too well, that my " unlucky star has drawn down this misfor- " tune upon your forces, always victorious." In this James participated of the evil destiny of his family, which appeared so uncommon as to attract the notice of historians at an early period. Jurieu giving an account of James IV. having been slain in the battle of Flouden, uses the following expressions: " Cadaver regis, " postremo die a Dacree repertum, et Bervi- " cum delatum, ubi diu sepultura caruit; ab " Anglis, quod Gallis et schismaticis favisset " sancto funeris, sepulchrique honore, et " Christianis ceremoniis indignus putabatur. " Adnotabant plerique, repetita superiorum " regum memoria, Jacobum infelici potius " Stuardæ familiæ fato, quam suo cecidisse: " quod pater, avus et proavus, eodem potiti " regno, atque idem sortiti nomen, ante diem " ferro perempti mortem oppetiissent."

The malignant destiny of the house of Stuart was no less strikingly illustrated by the fate of its latter representatives; namely, James V. Mary, Charles I. and James VII. with whom the royal power terminated.

The

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The advantages, which France might expect from placing James on the throne of England, were neither so eminent, nor so certain, as to justify the attempt, where the expence was so great, and success in the issue so precarious. Lewis might have every reason to be assured of the attachment and gratitude of James, if ever he resumed his authority: but the independent spirit of the English, illustriously displayed by the late revolution, and their inveterate aversion to France, might be expected to thwart the inclinations, and bridle the exertions, of their sovereign.

The ambition of Lewis was so entirely directed to the extension of his dominions upon the continent, that, without looking forward to remote consequences, he was averse to every plan, which required a temporary diversion of his forces, or tended to give any interruption to the fondest object of his desire. Hence, though memorials of James to the court of France were still received with external approbation, and the hopes of his party kept alive by splendid promises, yet various pretexts were contrived to postpone or elude the performance of them. And, when the friends of James began to be weary of the evasions, and to complain of the delay, of France, the latter also retorted, in the strain of complaint, and transferred the blame of all their misfortunes to their own negligence and misconduct. They were indelicately reproached, for want of activity; for having failed to produce evidence to satisfy the court of France of their strength and numbers; and for not having used that influence, which they might openly and successfully have done, to stop the liberal supplies of parliament for supporting the authority and enterprises of William [15]. James, in the meanwhile, had a difficult part to act, in order to preserve any measure of good understanding with Lewis, and to cherish the hopes of his English friends. He was not in a situation to upbraid, or to complain of ill usage. Both his pride

[15] Letter of Middleton to Caryl, 19th March 1696. Extracts, January, February, March, 1696. Macpherson's State Papers.

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and interest debarred him from the consolation of opening, to his friends, the mortifications and treachery which wounded his spirit. He was constrained, on the one hand, to do violence to truth and to his own feelings, while he vainly boasted of the attachment and kindness of the French court, in order to animate the exertions of his friends, fretted with disappointment, and ready to sink into a slothful despondency. On the other hand, that he might avoid the humiliating discovery of his entire dependence on the arms of France, he was at pains to conceal, from that court, his suspicions of the coldness and defection of his partisans in England, and to make specious apologies for their going into the service of William.

Division of sentiment among his friends.

2. The friends of James in England were divided in political sentiments, and the different conditions, upon which they proposed to restore him to the throne, greatly embarrassed and obstructed the plans laid down for accomplishing that event.

Some, who were warm in their attachment to James, were, at the same time, steady friends to the constitution; and therefore wished to restore him upon terms, which he held to be encroachments upon the unalienable prerogatives of the crown. These were called Compounders, and comprehended the most respectable, and the most numerous class of his adherents [19]. There were a few of this number, who thought that a new revolution might contribute to the farther improvement of the constitution, by procuring regulations with respect to the monarchical branch, more restrictive than those which had been specified by the bill of rights. But there was also a great proportion of zealous adherents to James, who had embraced the most servile notions of prerogative, and who thought it no less prophane than disloyal, to narrow its limits or lop off any of its branches [20]. Such therefore considered themselves as bound, by

[19] Memorial to Lewis, Nov. 1692. Macpherson's State Papers, 1693.
[20] Memorials sent to James. Ibid.

 equal

equal obligations, to reftore the king to his throne, and to the undiminifhed amplitude of prerogative. The leaders of thefe parties diftracted him with the oppofition of their fchemes and their counfels, and contended with emulation for the empty honours of an exiled court. The partiality of James to the counfels of the non-compounders; his addrefs, in contriving the moft plaufible pretexts for delaying or eluding to publifh a declaration in moderate terms, accommodated to the inclinations of the greateft number of his friends; evince, more than all the abufes of actual authority, his unabating paffion for arbitrary power [21]. Many of his friends, however, ftill continued, with inflexible folicitude, to urge conceffions adapted to the temper of the people and the conftitution of England, as indifpenfably neceffary for recovering his throne. Lord Marlborough, well acquainted with the predominant paffion of his mafter, and, at the fame time, of the neceffity of his making conceffions, was at pains to allure his confent, by reprefenting that he might eafily break them, when he came to the throne, as being extorted by the neceffity of his affairs [22]. James at laft began to yield to the importunity of his friends; and publifhed a declaration, promifing to call a free parliament, to remove all grievances, to confent to whatever bills were neceffary to fecure the frequent meetings of parliament, and to maintain the church of England [23]. He difmiffed Melfort, who was at the head of the non-compounders, from the office of fecretary of ftate, and appointed, in his room, Caryle, who was known to maintain principles more moderate, and confonant to the fpirit of the Englifh conftitution. It is acknowledged, however, by one of

[21] Extracts from Nairn's Papers, 1692. James alleges, that his promifing conceffions, if he returned to the throne, would alarm William, and render him more anxious to maintain an armed force in England; that it would afford his enemies a handle for reply; and, by fevere criticifms upon his paft errors, and mifreprefentations of his future intentions, counteract the effect of every thing he could propofe for conciliating the affections of his people. Macpherfon's State Papers, 1692.

[22] Life of James, by himfelf, 1693, Extract 2d. Memorial concerning Scotland, par. 16. Macpherfon's State Papers, 1690.

[23] Life of James, London, 1703.



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the agents of James, that the diſtruſt of his veracity and honour were now ſo deeply rooted, and had ſpread ſo far, that theſe conceſſions had but little influence in ſatisfying his friends, or gaining any new converts to his intereſt[24]. Under the ſame impreſſion, many, who ſtill maintained their attachment to the principles of hereditary right, and who were claſſed with the friends of James, became cold and liſtleſs about his perſonal intereſt. They were divided, in their affections, between loyalty to their lawful ſovereign and zeal for the church of England. Theſe intereſts, apparently at variance, ſeemed at laſt to be in ſome meaſure reconciled, by their conſidering the abſence and depoſition of James as an interruption, rather than an extinction, of the hereditary line of ſucceſſion. They entertained little doubt, that the ſon would be recalled to the throne of England after the death of William; and they ſuſpended, for a ſeaſon, the duties of loyalty and allegiance, from a reſpect to the ſubſtantial intereſts of their country and religion.

Increaſing reputation of William;

3. The government of William in England grew more firm, the hopes of the friends of James more languid, and their efforts to reſtore him more remiſs, while the former every day gained, and the latter loſt reputation among foreign princes. Though the arms of the confederates were not attended with expected ſucceſs, yet ſuch was the addreſs of William, in maintaining their union, and invigorating their reſolutions, in contriving expedients to repair their miſfortunes, and, above all, ſuch was the indefatigable perſeverance of his ſpirit, that he ſtill roſe in their eſteem and confidence. Not only the confederate princes, united to him by intereſt, but his enemies

[24] Anonymous Letter, 17th Auguſt, 1694. Macpherſon's State Papers. Attend particularly to the following words: "The common "people own their preſent burdens are very "heavy, yet profeſs openly, that they would "rather carry it on and on, than let popery, "by reſtoring the king, ſteal in upon them. "And when aſked, how they can read the "king's laſt declaration, and obſerve the pro-"miſes therein made, and yet doubt, either "of the eſtabliſhment, or tranquillity, of their "own church? They anſwer, that being cer-"tain ſome of the promiſes will be broken, "they find reaſon to doubt, whether any of "them will be kept, &c. &c." Macpherſon's State Papers, 1694.

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themselves, gave various and striking testimonies of their being astonished and overawed, by the greatness of his designs, and the pre-eminence of his abilities. Upon a false report of his death, the most indecent expressions of joy and exultation were publicly exhibited in France, as if, by that event alone, the whole power of the confederacy had been annihilated, and the only obstacle to the ambition of Lewis removed [25]. The ambassadors of James could not restrain themselves from the most peevish complaints, when they beheld the veneration and awe, with which the character of William had impressed the court of France. Such singular evidences of respect could not fail to raise the dignity of his character at home, and to give energy to his government, both in Holland and in England. On the other hand, nothing can convey a more lively picture of the humiliating situation and debased credit of James, than the coldness and contempt, with which his name and his business were treated at the court of Rome. No subject was more irksome to successive popes, than any application in his behalf. They waved any conversation that tended to introduce it. They excused themselves

and contempt for the character of his rival.

" [25] Returning from Seaux, with the marquis of Seignalai, in the evening after the news of the prince of Orange being killed, we were surprised to find the streets filled with bonfires and images of the prince of Orange in straw, which they threw into the fire, while they drank to the health of the king, and compelled all that passed to do the same. This general rejoicing was not discountenanced by the court, where the principal ministers were under the same mistake. Nothing could more emphatically express the terror of the name of the prince of Orange, than the extravagance of joy with which his enemies received the news of his death." Memoires et Reflections sur la Regne de Louis XIV. p. 236.

" The confederates confess, that had the prince of Orange been driven from Namur, they would have abandoned him; but now he is their saviour, protector, and idol. All the heroes of antiquity were but his precursors, and to triumph over the king of France's foresight, and Villeroy and Boufflers, is so great a support to his reputation, that all here conclude, that he will unite the league, and get from England to their bodkins and thimbles. All our conversations are bringing the king to Rome, which God forbid, and establishing the prince of Orange in England for all his life. Some, who appeared very fixed, begin to say, that he must be a great man, who never gives over, but pushes on, though repelled again and again; and that, at last, such a one must accomplish his designs, which is to humble the king of France, and to transfer all the glory of that king's fortunate reign to himself." Perth's letter, 27th September, 1695.

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from giving him any pecuniary assistance; and ill concealed the contempt of their hearts, while they substituted prayers and expressions of pity, instead of solemn execrations of his enemies and more substantial resentment, expected in return for a zeal, which had sacrificed all to the interest of popery. The earl of Perth, the ambassador of James, expresses sorrow and indignation, upon finding that the character and exploits of William were mentioned with admiration by the ministers of the pontifical court; and, that some of them were so indelicate, and even so prophane, as to insinuate their good wishes for his success, and their expectation of deriving more benefit to the papal dominion from the continuance of his authority, though he was an heretic, than from the restoration of James, who had been a martyr to their faith. He desires to be furnished with accounts and proofs of the severities exercised against the Roman catholics in Ireland, in order to open their eyes, and to rouse the court of Rome from that criminal stupidity, which rendered her at once so unconcerned about the fate of James and her own dearest interests[26]. Such experience of desertion

[25] "The declaration here was just fitted for "the press, but Mr. Caprara, after the ad-"vances he himself made to get it finished, "alleged unexpected difficulties, so that it is "now laid aside. Many here pretend great "inward zeal in their prayers for the king; "but, if they do pray, they do it so as not to "be seen of men, either in their closets, or, "perhaps, the primitive grottoes and cata-"combs." Litcott's Letter to Melfort, June 17th, 1692.

"I took occasion to show myself last week "to the pope; who, having been prepossessed "by the house of Austria in some points of "news to James's disadvantage, he asked what "my letter said, expressing at the same time "some difference as to the French. I an-"swered the best I could, but all by conjec-"ture, having, my lord, not had the least "word of any thing since I came thither." Id. 24th June, 1692.

"I can easily perceive, that all, who are "well affected to the House of Austria, try, by "all means, to persuade the pope, that the "prince of Orange is no enemy to the catho-"lics; but only strives to maintain his acqui-"sition of the government of England." The Earl of Perth's Letter from Rome, 9th May, 1695. Macpherson's State Papers.

Innocent XI. received coldly an application made by James, to give father Petre a cardinal's hat. Innocent XI. and Alexander VI. absolutely refused to contribute, by pecuniary aid, to the restoration of James; and Innocent XII., who was better affected to him, often waved his applications, and assisted him in money, only, with a penurious hand. Monthly Mercury, December 1688, April 1689, and passim.

[26] "Give me a sure account of what is doing "to hinder the children of catholics from be-"ing bred up in the catholic religion, and you "would furnish me with a new occasion of stir-"ring up his holiness to mind the conserva-"tion of that little remnant of truth that rests "among you." Perth's Letter, 1695.

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sertion and contempt, where James expected applause and cordial adherence, tended to subvert all respect for his character among his English subjects, and to check that boldness of enterprise, which alone could retrieve his interest from the low ebb into which it had sunk.

Various events which contributed unexpectedly to strengthen the new government.

4. Some of those events, which were deemed most propitious to the views of James, operated to a contrary effect; and, by diminishing the number and influence of his remaining friends, finally confirmed his degradation and exile. If the frequent absence of William from the seat of government invited the disaffected to conspiracy and insurrection, the prudence and moderation, with which Mary discharged the trust of the regency, gained friends among every party in the nation. By devolving the reins of government into the hands of the queen, William not only enjoyed a respite from the turbulence of faction, but, upon his return, found the violence of parties abated, and the vigour of government renewed. The executive government, occasionally delegated to the daughter and nearest heir, more easily reconciled the friends of hereditary right to the new settlement, because it required only a slight deviation from their principles. A zeal for the protestant religion, and a fostering attention to the church of England, accompanied with exemplary piety, gained the political support of the hierarchy, and the affections of the true friends of religion and virtue. In these views, the death of the queen was naturally considered as an event fatal to the new settlement, and seemed to open certain hopes of success to those, who were interested for the exiled king. So much did they calculate upon the augmentation of strength, which was likely to redound from the death of the queen, that they began to lower their demands for foreign aid, and represented in their memorials to the French king, that the friends of James, reinforced only with ten thousand men, would be sufficiently powerful to restore their master to his rights and dignity[27]. But in this, as well

[27] Middleton's Letter, 13th January 1695. "When James heard of the death of his daughter, he had long conferences with the king of France, and letters were immediately dispatched,

well as in other conjectures, the correspondents of the court of Saint Germains were deceived; and from the death of the queen, the new settlement derived the accession of a party, who were secretly hostile to the personal interest of the king, and who publicly opposed those political measures to which he was partial. During the life of her sister Mary, healthy and little superior to herself in age, the princess Anne entertained a very distant and precarious prospect of ever inheriting the crown of England. At an early period after the revolution, the relentings of affection began to work upon her mind, and at last seemed to have subdued the impulse of ambition. She wrote to her father, earnestly imploring forgiveness and reconciliation, and promised to confirm the sincerity of her repentance, by a firm adherence to the duties of loyalty and natural affection. While she remained under the impression of these sentiments, a numerous body of the tories, attached to her family and interests, opposed the inclinations of the court; and some of them consulted with the friends of her father about measures for his restoration [28]. The death of her sister, and the near prospect of a crown, threw out new and powerful temptations to rouse and actuate the ambition of the princess Anne. Resolutions, which could only be fulfilled in the humble station of a subject, were renounced, and all the scheme and address of her friends were employed to remove every obstruction to her approaching dignity. From that moment the political interests of William and the princess

"patched, to try whether any tares might be "sown among the English." Monthly Mercury, January 1695.

"The French believe that they shall gain "more by the death of the queen of England, "than they have lost by the death of marshal "Luxembourg. They look upon this accident "not only as an obstacle to prevent the king of "England's return into the Low Countries; "but as an opportunity to sow new seeds of discord, and to find the English work enough "at home among themselves." Ibid. 1695.

So sanguine were the expectations of the correspondents of James, upon the death of the queen, that they wrote to him in the following words: "The great alterations, occasioned by "the death of the princess of Orange, have so "broken and divided the strength of the government, that ten thousand men are more "now in proportion to its present strength than "thirty thousand were before, &c." Reasons offered for making a Descent upon England. Macpherson's State Papers, 1695.

[28] Life of James, passim.

Anne

Anne were interwoven: both were to be promoted by the same plans, and by the same instruments. The recognition of the right of the princess Anne was the first link in that chain of succession, which William desired to establish, not only for his own safety, but for the future security of that fabric of government which he had saved from ruin. It was only by adopting the same principles, by approving and extending the Act of Settlement, and by supporting the title of William, that the princess could hope to ascend the throne, in exclusion of her father. Hence an external reconciliation, which answered all the purposes of cordial attachment, took place between her and William after the death of Mary; and their friends co-operated in the same political designs. This coalition not only fixed a great proportion of that interest, which, in the early part of his reign, had been vibrating between Anne and the banished king; but became productive of measures, which effectually barred the return of the latter and secured the easy descent of the crown to a line of protestant successors.

The dissolution of the second parliament, or the triennial bill, which accelerated that measure, was coincident with the death of Mary, and productive of similar effects; because it operated, contrary to the expectation of the malecontents, to increase the friends and strength of the new settlement. Though a powerful party in the commons opposed the inclinations of the court, yet, by a series of resolutions and measures, in the course of five successive sessions, the second parliament became so far engaged upon the side of the present government, that it was not to be expected, upon the event of James's landing in England, they would be prevailed upon either to acknowledge him, or indirectly to promote his interest, by withholding from William the pecuniary aid which they had been accustomed to grant with a liberal hand. The war with France, in particular, a principal obstruction to the hopes of James, a great majority of both houses had approved of, and still seemed inclined to support.

ſupport. It was likewiſe reaſonable to ſuppoſe, that, as the favours of the court flow through the channels of parliamentary intereſt, ſo the diſpenſation of theſe favours, for the ſpace of five years, muſt neceſſarily have procured to the king a powerful influence over the preſent repreſentatives of the nation, which would be loſt and deſtroyed in a new parliament, unintereſted in the paſt meaſures, and unbiaſſed by the experienced bounty of the court. Attending to theſe circumſtances, we are not ſurpriſed to find, that James and his friends conſidered the continuance of the ſecond parliament as an unſurmountable barrier to their expectations; and that, in many of the memorials tranſmitted from Saint Germains, it is earneſtly inculcated upon the agents of that court, to cheriſh the diſcontents in England, and to exert their utmoſt endeavours to accompliſh a general election [29]. The complaints of the people did not, at that period, require the culture of foreign influence. The ſuſpicion, and at laſt the detection, of enormous corruption, rouſed the nation, almoſt with one voice, to call for the diſmiſſion of their repreſentatives. Both houſes were conſtrained, by the importunity of the people, and a reſpect to decency, to introduce, as we have ſeen, different meaſures, for the purpoſe of obtaining a diſſolution of the ſecond parliament. The death of the queen, and a demand of large ſupplies, obliged the king to conſent, with reluctance, to a bill, which he conſidered as equally fatal to his preſent influence and future power. In this apprehenſion, both the king and his enemies were miſtaken, as ſoon appeared from the effect of the triennial act upon the temper of the nation. The near approach, and frequent return of elections, obviouſly advanced the political conſequence of all orders of men in the ſtate. While parliament ſubſiſted during the pleaſure of the ſovereign, its connection with the people was gradually leſſened, its obligations and attachment to the crown were daily ſtrengthened; and a qualification to vote for a repreſentative might remain

[29] Middleton's letter, 13th January, 1695.

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dormant with the poſſeſſor, without his having once, in the courſe of his life, an opportunity of exerciſing it, either for the purpoſe of private advantage, or the control and chaſtiſement of abuſed power. The attention and diligence of the diſaffected, hitherto occupied in thwarting government, and contriving meaſures for the reſtoration of James, were now transferred to a nearer and leſs dangerous object, while many of them became candidates for a ſhare of political influence, from which they had been hitherto excluded. The greater number regarded the queſtion of a perſonal right to the crown, abſtracted from the intereſt of the nation, as a diſpute frivolous and unintereſting. They could not heſitate for a moment about preferring an imperfect and exceptionable title, fraught with laſting benefit to the conſtitution, to the claims of hereditary right, involving prerogatives undefined and deſtructive of freedom. Such a deep infringement upon the influence of the crown, as was obtained by the triennial bill, they were well aware, a monarch, of James's arbitrary principles and temper, would never endure. If he regained the throne, he would reclaim, under a ſpecious reſpect to juſtice, ſuch prerogatives as had been torn from it, without the conſent, and during the expulſion, of its lawful poſſeſſor. A new pillar of liberty was erected, which, connected with the occupancy of the preſent king, fortified his throne, both with the affections and intereſt of his people. After this period the friends of James declined in influence and zeal; correſpondence with him was interrupted; the peace of Ryſwick was the deciſive criſis, which ratified the authority of William, and enſured the benefits of the Revolution to poſterity.

## C H A P. XVI.

*Dissolution of the second Parliament.—Summary View of its Proceedings and Character.—The third Parliament meets.—Bill for regulating Trials in Cases of Treason passes.—The Commons address the King to withdraw a Grant in Favour of the Earl of Portland—he complies.—Proceedings of both Houses with respect to an Act of the Scotch Parliament for extending the Trade of that Kingdom.—Bill for a Council of Trade to be nominated by Parliament—the King offended at it.—An Invasion of England and an Insurrection of the Malecontents projected—prove abortive—in consequence of Lewis and the Malecontents having been deceived with respect to each other's Intentions.—A Conspiracy to assassinate King William.—Addresses, Associations, and other Measures for securing the Government.—Trial of the Conspirators.—Bill for attainting Sir John Fenwick—Debates on it—it passes.—Campaign* 1696.*—Measures to relieve the Embarrassments of the Revenue.—Inquiry concerning Miscarriages at Sea.*



1695. Campaign 1695.

IN the campaign of one thousand six hundred and ninety-five, the army of the confederates was superior to that of the French. The retaking of Namur turned the balance of success in favour of the former, and greatly advanced the military reputation of William. In Italy, Casal surrendered to the duke of Savoy; in Spain, the decline of the French power was manifested by their deserting Palamos, and contracting their frontier to the town of Gironne. The English and Dutch fleets were every where an over-match for the French, though many merchant ships of great value fell into the hands of the enemy, and marred that general satisfaction, which, otherwise, must have arisen from the prosperous turn of affairs [1].

August. July. August.

Dissolution of the second parliament.

The king returned to Kensington on the tenth of October, and the next day issued a proclamation for dissolving the present parlia-

[1] Life of William, &c.

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ment, and summoning another to meet on the twenty-second of November. He had obstinately struggled against the triennial bill, not only to avert an encroachment, as he believed, upon his prerogative, but from the apprehension of not finding a new parliament obsequious to his will, particularly in adopting his system of foreign politics, and approving of the continuance of the war. But, as there was no prospect of bringing it to a conclusion before the definitive expiration of the present parliament, there occurred obvious and strong reasons for anticipating that event. However great the influence of the court in the present parliament had been, yet it was naturally to be expected, that the immediate prospect of dependance upon their constituents would operate upon the members, to the diminishing of that influence, and induce those, who wished to maintain their political distinction, to humour the prejudices of the people, rather than to study the inclinations of the sovereign, or to pursue more liberal views of public good. The dissolution of parliament, impatiently desired by the people, would be reckoned a gracious exertion of the prerogative, and strengthen the interest of the crown at the approaching general election. But what, perhaps, as much as any of these considerations, determined the king to dismiss his second parliament, was that perplexity and interruption to public business, which he foresaw would arise, at a season eminently critical, from those disagreeable inquiries into which the commons had entered, with respect to the corruption of some of their members, and from which they could not recede, without forfeiting all claim to honour and consistency [a].

Summary view of its proceedings and character.

The business and proceedings of the second parliament of William furnish the historian with events and materials, distinguished not only by their importance, but by their novelty, from what had occurred in any former period. Though foreign war, and the extension or defence of their dominions upon the continent, form in-

[a] Burnet, 1695.

teresting

terefting fcenes of the Englifh hiftory, yet the meafures, relating to them, proceeded from the ambition of the prince, rather than from any concerted plan of national advantage, and were directed by the inclinations of the court, independently of the advice of parliament, which had not then attained to any regular influence. By this parliament, foreign war, and continental connexions, were firft adopted as a capital branch of the political fyftem of England. A fyftem, fo complicated in its nature and fo comprehenfive with refpect to its object, involved increafe of expence, and required expedients and refources, which, before that time, never had been devifed or exemplified. Hence the plan of borrowing and funding was introduced; and, inftead of raifing the fupplies neceffary for carrying on the war within the year, funds were eftablifhed for paying the intereft of them annually, and for difcharging the capital at a remote period. The fupplies, raifed upon this plan, in the courfe of the fecond parliament alone, amounted to more than the double of what had been granted in any preceding reign.

As it is not be expected, that either individuals or focieties fhould acquire great expertnefs in a bufinefs, with refpect to which they have derived no inftruction, either from their own experience, or that of their anceftors, fo the fupplies were conducted with great error and extravagance by this and fucceeding parliaments. The ways and means propofed were feldom adequate to the fums to be raifed upon them; and, as neceffary confequences of this error, the operations of government were crippled, its credit depreffed, and the article of future fupplies fwelled to an enormous pitch, from the neceffity of making good the deficiency of the former. Pofterity muft lament, that many millions of the national debt, with which we are loaded, might have been fpared, while the patrimonial intereft of our anceftors, who were then upon the ftage, would have been promoted, if calculations had been made with exactnefs, fupplies obtained at a reafonable premium, and the taxes levied with ftrictnefs and juf-

tice.

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tice[3]. The difpofal of an immenfe revenue, and the numerous offices to which it gave birth, brought a great acceffion of influence into the hands of the crown; but which perhaps was no more than fufficient to fupport the new government under the hard ftruggles to which it was neceffarily expofed. Unfair advantages were taken of the ftraitened circumftances of the nation, which ftill augmented the burden of the taxes. The amplitude of the revenue excited the murmur of thofe, from whom it was exacted, and the avarice of thofe, who were employed in levying or difburfing it. The fhare, which the rapacious politician deftined for his private emolument, appeared only a mite, taken from the prodigious mafs of the public treafure; and no more than a juft compenfation for that liberality, which he exercifed at the expence of his conftituents. As parliament acquired more regular and extenfive power by being convened annually, and by not only granting, but by appropriating and reviewing, large fupplies, fo the feat of a member became, more than ever it had been, a lucrative object. Hence the number of candidates, and the ardour of their competition, were increafed, when any vacancy in the reprefentation happened. The electors foon perceived their own confequence, raifed the price of the favours for which they were folicited, and thus the chain of corruption was completed. From the difcoveries made by the committee and commiffioners appointed to inquire into the public accounts, it was too evident, that corruption had entered into every department, and that individuals of every party were ftained with peculation, which threw a blemifh upon the body to which they belonged. There can be no doubt, that mercenary confiderations contributed, with their avowed principles, to render this parliament favourable to the continuance of the war. That war, as neceffary to fupport the revolution, brings no difcredit upon thofe who approved of it; but, at the fame time, it is probable, that it might have been carried on at lefs expence, and terminated at an earlier

[3] Sinclair.

period, with equal advantage to the nation, if powerful individuals had not been interested in its prolongation.



The public acts, passed by this parliament, related more to the redress of grievances, than to the encouragement of trade and manufactures. The business of the war, and of the supplies, occupied so much of their attention, that it may be considered as an apology for their not having directed their thoughts to objects of internal improvement.

Though they did not gratify the king, by granting that extent of toleration which he wished to establish, yet they discovered less severity against the Roman catholics, than what prevailed in the former and succeeding parliaments.

The second parliament of William is entitled to the grateful acknowledgments of posterity, for their repeated efforts to secure the purity and independence of their successors: and the triennial bill will remain an everlasting trophy of their patriotic success. At the same time, it cannot be denied, that inquiries into corruptions and public miscarriages were not only instituted, but conducted, so much in the temper of party, and from the influence of factious motives, that they were as little productive of honour to those, who prosecuted them, as of advantage to the nation.

In the interval between the dissolution and the meeting of parliament, the king made an effort to extend his personal influence, by mixing, more than he had hitherto done, in public companies and amusements, and by visiting some of the nobility and gentry at their country seats. Such, however, was the incorrigible dryness and reserve of his demeanour, that his personal conversation and address added little to his popularity *.

Few persons, suspected of attachment to James, were returned in the third parliament of William; but in the list of the new members were many disgusted whigs, who, though sufficiently inclined

* Burnet, 1695.

to

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to thwart the meaſures of the court, did not mean to carry their oppoſition ſo far as to injure the ſafety of the government [5].

No material change in adminiſtration had taken place during the receſs of parliament. The principal offices remained in the hands of the whigs, who poſſeſſed the greateſt ſhare of the confidence and private favour of the king.

The third parliament meets.

The third parliament of William met on the twenty-ſecond of November. M. Foley, who had been choſen ſpeaker of the houſe of commons upon the expulſion of ſir John Trevor, was again preferred to that honour. The king expreſſed confidence in the good diſpoſition of his new parliament, and of their unanimous zeal in the proſecution of the war. He praiſed the braverg of the Engliſh troops, which had ſo eſſentially contributed to the proſperous change of affairs. He regretted the neceſſity of demanding as large ſupplies as had been formerly granted. He complained of the deficiency of the funds, and of the debts upon the civil liſt. He recommended the French proteſtants to the generoſity of the nation. He repreſented the ill ſtate of the coin as an additional, but neceſſary expence, which demanded the attention of the commons.

As the former parliament had cloſed their ſervices with a popular act, ſo the preſent commenced their political career with a meaſure, no leſs conſonant to juſtice, than to the general deſire of the nation. The arbitrary ſpirit of the court, during the two preceding reigns, had been moſt ſignally and fatally diſplayed, by the partial condemnation, and cruel puniſhment, of perſons accuſed of treaſon. Though popular indignation, in the firſt inſtance, turned againſt the court and thoſe judges, who infamouſly had ſubmitted to be the inſtruments of its corrupt meaſures, yet to the impartial inquirer it appeared, that the diſtemper had a deeper root; and that the ſtatutes, as they ſtood, afforded unfair advantages to the prince and his miniſters, againſt the unhappy ſubjects, who ſhould fall under their

[5] Burnet.

ſuſpicion,

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ſuſpicion, and become the deſtined victims of their reſentment. To remove or to mitigate theſe ſeverities, the commons, in every ſucceſſive ſeſſion of parliament ſince the revolution, had propoſed ſuch amendments and regulations reſpecting trials for treaſon, as were conformable to the practice and laws of England in the caſe of other crimes. The jealouſy of the court, kept alive by peculiar circumſtances of danger, and the oppoſition of the lords, covered under the pretext of amendments, had hitherto fruſtrated every bill framed with this view; and diſappointed the reaſonable expectations of many true friends to the conſtitution. The ſubject was now reſumed by the commons, with a ſpirit, which evinced their earneſtneſs and reſolution to purſue it; for they introduced it in preference to all other buſineſs, and while the grant of ſupply was yet depending. The lords debated on various clauſes in the bill, and propoſed, as an amendment, that all the peers ſhould be ſummoned to the trial of a peer[6]. The commons, anxious to obtain the object of the bill, agreed to the amendment. The king, unwilling to enter into hoſtilities with a new parliament, aſſented, though he privately wiſhed to poſtpone the reformation of the treaſon laws, till government had attained to a more advanced ſtage of vigour and tranquillity. The important clauſes of the new act were, that perſons indicted for high treaſon ſhould be furniſhed with a copy of their indictment five days, and with a copy of the panel of the jurors two days, previous to their trial: that they ſhould be admitted to make their defence by counſel: that the oath of two witneſſes ſhould be neceſſary to found an indictment: that every indictment ſhould be reſtricted to crimes committed within the period of three years preceding the time of its being found, and the evidence confined ſtrictly to the charges expreſſed in the indictment: that the accuſed ſhould have like proceſs to compel their witneſſes to appear for them, as is uſually granted to witneſſes againſt them: and finally, that no evi-

Bill for regulating trials in caſes of treaſon, 26th Nov

21ſt January, 1696, paſſes.

[6] Journ. Lords, 23d December.

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dence ſhall be admitted to any overt act that is not expreſsly laid in the indictment.

However much this bill may appear to be founded upon the eſſential principles of juſtice, yet the ſucceſs of it was conſidered as an evidence of the declining influence of the court.

The commons addreſs the king to withdraw a grant in favour of the earl of Portland.

The unfavourable temper of the commons towards the king was diſplayed by a meaſure, which at once controlled the gratification of his private affection, and limited the exerciſe of his prerogative. After the laſt prorogation of parliament, he had conferred, upon the earl of Portland and his heirs, a grant of the lordſhips of Denbigh, Bromfield, and Yale. The gentlemen, whoſe intereſts were immediately affected by this grant, petitioned the lords of the treaſury, during the king's abſence, repreſenting, that the property transferred was unalienable; that the grant beſtowed an extent of influence dangerous in the hands of a ſubject, and was already appropriated, in part, to the ſalaries of judges, and other eſſential offices of government. The commiſſioners of the treaſury were ſo much impreſſed with the arguments produced in ſupport of theſe allegations, that they engaged to recommend the ſubject to his majeſty's ſerious conſideration. As more than a month had now elapſed ſince his return, and the gentlemen concerned in this buſineſs had received no ſatisfaction with reſpect to his purpoſe of recalling the grant, they now applied by petition to the houſe of commons. After due conſideration, the commons unanimouſly agreed to addreſs the king to put a ſtop to this grant to the earl of Portland; and with their petition he complied, profeſſing not to have been aware of the objections to which the grant was liable[7]. If the exceſs and irregularity of his majeſty's bounty, in this inſtance, excited popular clamour, and expoſed him to the mortification of being diſappointed, the early and important ſervices of the earl of Portland juſtified a more than common attachment, leſſened the impropriety of the method by

He complies.

[7] Journ. Commons, 14th, 17th, 23d January.

which

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which it was expressed, and ought to have prevented that personal asperity, with which the opposition to it was conducted [8].

1696. Proceedings of both houses with respect to an act of the Scotch parliament, for extending the trade of that kingdom.

To appease the discontents of the Scots, the king had been persuaded to approve of an act of their parliament, erecting a company for trading to Africa and the East Indies. This indulgence to Scotland had immediately excited general alarm among his English subjects, and was grievously complained of by the East India company, as a violation of their charter, and ruinous to their interest; and it was expected, that parliament would embrace the first opportunity of representing to the king the sentiments of his people. The lords entered at an early period upon the consideration of this business, and agreed upon an address, in which the commons also concurred, setting forth the several clauses of the act considered by them as prejudicial to the trade of England, in general, and to that of the East India company, in particular [9]. The king vindicated himself, by throwing the blame of this act upon his Scotch ministers, whom he immediately dismissed; and expressed his desire, that remedies might be found out for preventing the inconveniences apprehended by his subjects. The commons, not thinking these concessions sufficient, determined to exercise their resentment against the directors of the Scotch trading Company; and resolved that they should be impeached of high crimes and misdemeanours [10].

Bill for a council of trade to be nominated by parliament.

The severe loss which the trade of England had sustained in every preceding year, and particularly the last, had brought heavy reflections upon administration; and seemed to require an established plan for calling to account those persons, who, by treachery or neglect of trust, were accessory to the public misfortunes. The commons, after considering the state of the nation with respect to trade, resolved that a council should be established for superintending it; and that

[8] See Speech of Mr. Price; Ralph, vol. ii. p. 619.

[9] Journ. Commons, 14th Dec. 1695.

[10] Ibid. 21st January.



this

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The king offended at it.

this council ſhould be nominated by parliament [11]. This meaſure was conſidered by the king and his friends as a direct invaſion of the prerogative; which, if permitted in one inſtance, would open a door for future encroachments, highly pernicious to the influence of the crown. If parliament wreſted one branch of the executive government out of his hands, they might progreſſively extend their aſſaults to the utter ſubverſion of the prerogative, and effect a total change of the conſtitution [12]. In the courſe of the debates upon this bill the whigs generally oppoſed it, and the tories ſupported it: a ſtriking inſtance of the prevalence of perſonal attachment againſt the avowed principles of party. The ſupport which the bill met with, and the averſion which the king expreſſed againſt it, would probably have been productive of great internal diſcord, if events of a more ſerious nature had not engroſſed the vigorous application of both houſes of parliament [13].

Many circumſtances concurred, at the death of the queen, to inſpire the agents of James, in England, with more favourable hopes of the diſpoſition of parties towards the intereſt of their maſter, and to ſtimulate his friends to make ſome immediate attempt for accompliſhing his reſtoration. They were ſenſible, at the ſame time, that no ſucceſs could be expected without the aid of French troops; and, therefore, that it was in vain to lay down any plan for that purpoſe, without the approbation of Lewis. Great pains were taken, to convey to him the moſt favourable impreſſions of the number and ſtrength of the malecontents in England, and to repreſent to him the advantage that would accrue to himſelf by overturning the government of William [14]. Theſe repreſentations, however, did not obtain that attention, which was expected by the perſons who urged them. The ſucceſs of the French arms in Spain during the campaign of one thouſand ſix hundred and ninety-four, the inactivity of the troops

[11] Journ. Commons, 21ſt Jan. 12th and 18th Feb. 3d March.
[12] Burnet, 1696.
[13] Ralph, vol. ii. p. 624.
[14] Macpherſon's State Papers, 1695.

of

of the empire, far ſuperior in numbers, and the proſpect of detaching the duke of Savoy from the grand alliance, flattered Lewis with the expectations of victories and acquiſitions upon the continent, which would more immediately redound to his own perſonal glory, and the extenſion of his dominions. The death of the duke of Luxembourg, the ableſt general in his ſervice, the adverſe events of the campaign of one thouſand ſix hundred and ninety-five, and particularly the loſs of Namur, diſappointed theſe hopes; and gave a turn to continental affairs highly favourable to the allies. In this ſituation the French king began to liſten to the ſuggeſtions of the agents of James, who aſſured him that the malecontents in England were ready to make an inſurrection, provided they could be aſſured of his reinforcing them by a deſcent upon their coaſt. Preparations were now made for that purpoſe: tranſports were provided: troops, to the amount of twenty thouſand, were drawn from the garriſons, and ordered to march to the vicinity of Dunkirk and Calais: the French fleet from Toulon was ordered round to Breſt. James repaired to Calais, to be in readineſs to embark for England as ſoon as his preſence ſhould be required there[15].

An invaſion of England and an inſurrection of the malecontents projected,

2d March.

prove abortive,

This expedition, prepared with great induſtry and at great expence, and brought to the very eve of execution, proved abortive, from a miſtake on the part of Lewis, which James had neither the firmneſs nor the candour to correct. The more readily to allure the aſſiſtance of Lewis, James had rather exaggerated the deſcriptions of the ſtrength and proſperity of his friends; and had even gone ſo far as to aſſure him, that they were prepared to begin an inſurrection, as ſoon as they ſhould be encouraged to hope for any reinforcement from France. The commencement of an inſurrection in England was therefore underſtood by Lewis to be the condition and ſignal of his interference; and he never intended that his troops ſhould embark, till he had received information of that event having actually

in conſequence of Lewis and the malecontents having been deceived with reſpect to each other's intentions.

[15] Hiſtoire de France. Old Mixon.

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taken place. The malecontents, on the other hand, were led to believe, that they were only expected to take up arms when the French should appear on the English coast. James was not ignorant of this mistake; but he was afraid to undeceive Lewis, lest it should occasion the interruption or discontinuance of those preparations, which were essential to his own success [16]. In the mean while, the duke of Berwick, the natural son of James, was sent into England, to stimulate the resolutions and activity of his father's friends, and to persuade them to go beyond their first engagements, by taking up arms, without waiting for the arrival of the French fleet, in assurance of support before they could be in any danger of being attacked by the army of William. The duke of Berwick, though neither deficient in the spirit of enterprise, nor in anxiety to extricate his father from the perplexity in which he was involved by his reserve with the court of France, was so much convinced, from near observation, of the weakness of his friends, and their incapacity to render him any effectual service, that no attempt was made by him to excite an insurrection [17]; and the preparations made with that view were unemployed and unavailing.

A conspiracy to assassinate king William.

Another interesting event concurred, with the circumstances already mentioned, to put an end to this and every future attempt for restoring James by foreign arms, or internal insurrections. A conspiracy to assassinate the king, probably suggested or hastened by the disappointment of the invasion, was now detected, and many of the principal conspirators were apprehended [18]. This alarming discovery not

[16] Macpherson's State Papers, 1696.

[17] Memoirs of the Duke of Berwick, 1696.

[18] The design of the conspirators was to assassinate king William, as he returned from hunting, in the lane between Turnham-green and Brentford. Two of them, captain Fisher and Mr. Pendergrass, discovered the conspiracy to the earl of Portland, by which means it was prevented.

It is asserted by Burnet, and his transcriber Tindal, that the assassination of William was concerted at the court of Saint Germains, and that sir George Barclay received a commission from James to carry it into execution. Burnet, 1695. Tindal, vol. iii. p. 201. In support of this assertion, these authors adduce the testimony of sir John Fenwick · who said, that he had heard some of the friends of James, lately

not only turned the tide of opposition which was set in against the court, but became productive of events highly fortunate for William and the government. Affectionate addresses were presented by both houses of parliament; and the assurances which they contained were realised, by the immediate prosecution of vigorous measures for the ensuring of his safety and the stability of the constitution. His majesty was empowered to seize all suspected persons, and to banish all papists from London and Westminster. It was enacted, that, upon the event of the king's death, the present parliament should not be dissolved. Both houses concurred in an association, binding themselves to stand by and assist each other, in defence of his person and government, against King James and all his adherents; and, in case his majesty should come to a violent death, to unite in revenging it upon his enemies, and in supporting and defending the succession of the crown, according to the act of the first year of the reign of William and Mary. It was declared, that no person who did not subscribe

Addresses, associations, and other measures for securing the government.

[illegible] lately arrived from France, affirm, that they had seen a commission signed by James, for warranting an attempt to the above effect. Tindal, vol. iii. p. 192.

A French historian also accuses James of having given a secret commission to attack the prince of Orange, after having been wearied with so many fruitless attempts for recovering his throne, by fair and open force. Abregè Chronologique de l'Histoire de France; tom. viii. p. [illegible].

The accession or consent of James to the assassination of William, is insinuated in a memorial which was to have been delivered at the peace of Reswick, in vindication of William's government. Somers' Collections, vol. i. p. [illegible].

This charge, however, is by no means supported with evidence deserving of credit. James expresses the utmost horror at being suspected of such a crime; affirms, that he had often rejected proposals made to him for assassinating William; and insinuates, that these proposals proceeded from the instigation of his enemies, with a design to insnare him. Life of James, 1696.

It is evident, that the authors, who accuse James, fall into inaccuracy, by connecting the commands he gave to promote a general insurrection, with the intentions of those who conspired to assassinate William. The testimony of sir John Fenwick, when circumstances are attended to, appears to be of no weight in the scale of evidence. Under the dread of death, he wished to advance some claim to merit; and, to move the compassion of William, sent his lady to Dr. Burnet, declaring that he had been shocked with the project of the assassination, and threatened to break with his party if they persisted in such an atrocious design. And, after all, his belief of the assassination was founded upon hearsay evidence.

All the conspirators, who were convicted, solemnly acquitted James, before their execution, of any knowledge or participation of the design of assassinating William. Tindal, vol. iii. p. 237, &c.

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ſubſcribe it, ſhould be capable of holding any public office or truſt[19]. The example of parliament was followed by all the counties, corporations, and ſubordinate claſſes of citizens. The ſounds of loyal aſſociations were heard in every corner; and expreſſions of attachment to the preſent government, and to the perſon of the king, were daily preſented to the court[20]. The ſupplies this year were granted with great readineſs, and amounted to five millions twenty-four thouſand eight hundred and fifty-three pounds. To aſſiſt the credit of government, a new bank was erected, which was called a land bank, becauſe the ſecurities were to be upon land; and, as it had been projected and patroniſed by the leaders of the tories, it was expected that it would anſwer an important political purpoſe, by rendering them more obſequious to the court. Parliament was prorogued on the twenty-ſeventh of April.

Trial of the conſpirators.

After the concluſion of this ſeſſion, many perſons were apprehended and tried; ſome for being acceſſory to the intended invaſion, and others for being concerned in the conſpiracy to aſſaſſinate the king. Among theſe, the moſt diſtinguiſhed were, ſir John Friend, who had acquired great wealth as a merchant in the city, and ſir William Perkins, a gentleman of landed property, and one of the clerks in chancery. Of ten who were condemned, eight were executed, and two pardoned[21]. It is ſomewhat remarkable, that all the perſons apprehended upon ſuſpicion, were convicted upon the cleareſt evidence, and according to the forms of law, except ſir John Fenwick, in whoſe caſe government found it neceſſary to have recourſe to a bill of attainder[22]. The ſentiments of the nation were divided with reſpect to the propriety of this meaſure, and the ſeverity of

Bill for attainting ſir John Fenwick.

[19] Journ. Lords and Commons, 24th, 25th and 27th February, &c.

[20] Among theſe addreſſes there was one ſubſcribed by an hundred young gentlemen, beſeeching his majeſty to receive them as a troop of guards for the preſervation of his perſon; and devoting themſelves entirely to his ſervice when and wherever he ſhould command them.

[21] State Trials, vol. v.

[22] The attainder of ſir John Fenwick did not paſs till the next ſeſſion of parliament; but, upon account of its connexion with the hiſtory of the conſpiracy, I have introduced it in this place.



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administration was generally condemned. The reader will judge for himself, by attending to the following concise detail of the circumstances of the case, and of the arguments upon which the attainder was either justified or condemned.

Debates on it.

Against sir John Fenwick, only one witness was produced; another witness had fled, but had previously been examined by one of the secretaries of state; and his evidence, together with the record of the conviction of Cook, one of the conspirators, afforded a strong presumption of sir John's guilt. The grand jury had found the bill, but his friends used many artifices to delay the trial; and, as at last the evidence of two witnesses in court was wanting, there remained no other method of procuring his condemnation, but by a bill of attainder.

It was argued by those who opposed the bill, that such a mode of trial and condemnation ought to be resorted to only in cases of the highest importance, where circumstances rendered it impossible to follow the course of law. When persons accused of treason made their escape out of the country, which was a tacit acknowledgment of guilt, there was no other remedy; or when they were found in arms, as was the case of the duke of Monmouth, no injustice was done in establishing their condemnation by the interposition of legislative authority. A departing from the ordinary methods of trial, without the plea of necessity, was one of the most dangerous expedients of tyranny that had been practised in the preceding reign, and had often been made the instrument of shedding innocent blood. The avowed reason for moving a bill of attainder, was not because sir John Fenwick could not otherwise be tried, but because he could not otherwise be condemned. The evidence which law required to convict any person accused of treason, and the advantages which it afforded him, were entitled to sacred respect, not on account of the mere authority of the law, but on account of the conformity of that law to the eternal rules of equity and justice. Admitting that the parliament had the power of

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dispensing with the ordinary forms of justice, yet it would be dangerous to do so, except in cases the most urgent; and it would be peculiarly inconsistent, in that very parliament, which had reformed the laws of treason, to set them aside by the wanton exertion of legislative authority.

They, who contended for the act of attainder, founded their arguments entirely upon the extremely perilous situation of the kingdom. It was notorious, that, while an invasion from France was impending, many persons at home were conspiring against the government and the life of the king. It would be easy for such to elude punishment by removing witnesses, and to carry on their treasonable designs with such address as might screen them from danger, if there were no means of conviction, but those which were published, and therefore guarded against by the foresight and caution of the criminal. Sir John Fenwick's condemnation was not desired by government from any motive of resentment, but on account of its influence as an example; to shew that there was a remedy in cases, where ingenuity might take advantage of the forms or lenity of law. In point of essential justice, it made little difference, whether the person suspected fled from his country himself, or removed the witnesses against him; or by any other method destroyed the means of conviction prescribed by the statute; while yet there remained sufficient proof to satisfy every conscientious person of his guilt. Both parties agreed, that the legislative authority might dispense with the ordinary forms of law in cases of extraordinary importance. The only question, upon which they could differ, was, Whether the present case came under that description, and whether passing the present bill would contribute to the benefit, or injury of the constitution? It was a precedent, which even the movers of it wished never to be followed, except in cases like the present, where the very existence of government was at stake[23]. The bill was carried in the house of commons

It passes.

[23] Journ. Lords and Commons, November, December, and January, 1697. Lords' Debates, vol. ii. Ralph, vol. ii. p. 693.

by

by an hundred and eighty-nine votes against one hundred and fifty-six, and in the house of lords by sixty-eight votes against sixty-one.

Though it may be candidly admitted, that principle, and a true regard to the interest of the nation, had great influence on many who voted for this bill, yet there is great reason to suspect, that less honourable motives operated upon the minds of some, who appeared most anxious for its success. Sir John Fenwick, in hope of obtaining a pardon, had not only made an offer of important discoveries, but had named several persons of rank, and some in office, as concerned in the late conspiracy. This information, though censured by the house of commons as false and malicious, and represented in the same colours by the most respectable historians of that period [24], appears, from the evidence lately published, to have been well founded, and could not fail to provoke the resentment of individuals, whose safety depended on removing, at any rate, and by any measure, such a dangerous instrument of discovery and accusation [25].

Campaign 1696.

The campaign of the year sixteen hundred and ninety-six, as it was in effect the last, so it was the most inactive and uninteresting which happened in the course of the war. The operations of the allies were greatly cramped, and the spirit of the English army, in particular,

[24] Journ. Commons, 6th Nov. Burnet.

[25] Mr. Macpherson, upon the authority of the Life of James, imputes the attainder of sir John Fenwick to a personal enmity of William against him. Macpherson's History, vol. ii. chap. 3. Life of James, 1696.

If the Life of James is admitted as authentic, on the one hand, with respect to every allegation and fact favourable to his own character; and as equally authentic, on the other, in establishing every insinuation reproachful to the character of William; it is obvious what the consequence must be, and how unfairly a person, trusting to such information, must judge, concerning the conduct of James and William. The attainder of sir John Fenwick is an example of the prudence of William, in restraining his resentment. He was not ignorant of the treachery of some of those persons, whom, at that time, he honoured and employed. Had he been prone to resentment, he might have gratified it more extensively and effectually, by saving sir John Fenwick, and admitting him as an evidence against those men, whose treachery was aggravated by ingratitude: but, upon this and many other occasions, William sacrificed resentment to considerations of prudence and generosity.

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cular, depressed, by the failure of the supplies voted by parliament. The project of the land bank, upon which great expectations were founded, had utterly misgiven, and the recalling of the debased coin, in obedience to a resolution of parliament, made such a scarcity of current money, and such a stagnation of trade, as ruined many private fortunes, and staggered the credit of the nation at large. The whole address, and ingenuity of commanders, were employed to sustain the army, under declining credit, and to keep them in good temper, under the hardships which they suffered from want of pay. Fortunately, the exhausted state of the French finances, as well as great internal scarcity of provisions, disabled them from taking any advantage of the distress of the allies; and, except the withdrawing of the duke of Savoy from the confederacy, no material event happened in the course of this campaign. And as that event had been foreseen, it was wisely provided against by our generals; and did not produce the alarm and confusion which might have arisen, if it had been conducted in a private and concealed manner, and taken them at surprise [26].

Sir

[25] The duke of Savoy was attached to the court of France; but, under the impulse of resentment against Louvois, the French minister, he joined the confederacy. The French agents had been secretly tampering with him, ever since the commencement of the war: the allies trusted him with reserve and jealousy; and were fortunate enough to delay the payment of the subsidy due to him according to treaty, while he, on the other hand, in order to obtain it, endeavoured to conceal the negociations, now advancing, for a separate peace between him and France. He obtained the restoration of all the places taken from him during the war, and four thousand livres for reparation of the damages which he had sustained; but what, more than these advantages, contributed to aggrandize his family, was a marriage contracted between his daughter and the duke of Burgundy, eldest son of the dauphin. Annals of Politics 1696.

Lamberti gives the following curious account of the duke's defection. "A messenger "was dispatched by the court of France, to "inform the duke of Savoy of the intended "assassination of king William; and to represent to him, that this notice was given from "motives of friendship. It was suggested "to him, that he might now obtain advantageous terms from France; but if William, the keystone of the alliance, should "fall, what could he do? The duke was "struck with astonishment; the messenger "took advantage of this, and declared, in a "peremptory manner, that he must immediately take his resolution, and return his "answer. The duke begged to be indulged "in a single half hour to deliberate: he walked "about

1696. July.

Sir George Rooke, who had failed with a large fleet from Cadiz, was recalled upon the discovery of the conspiracy. The English fleet afterwards failed under the command of lord Berkley, and made some depredations upon the coast of France; but this advantage was balanced by the success of the French admiral, Du Bart, who fell in with a large fleet of merchant ships belonging to the Dutch, under the convoy of six frigates. The frigates were taken, and four of them burned. Thirty of the merchant ships were destroyed[27].

June.

The second session of the third parliament of William met on the twentieth of October. The preceding campaign, barren of events and success, afforded the king no materials for congratulation in his speech to the parliament. He was happy, he observed, that the year had passed, without any disadvantage abroad, or disorder at home, considering the disappointments arising from the funds, and the difficulties which had attended the recoining of the money. This, considered as a proof of the disposition of the army, and of the steady affection of his people, gave him great satisfaction. He acquainted them, that some overtures had been made for a general peace; notwith[illegible] which, he urged the necessity of liberal supplies, for car[illegible] the war, and making good the funds already granted. He [illegible]mended to their consideration the inconveniences which still remained with respect to the coin, and hoped they would find

"about for a little while in his closet; and "then accepted of the conditions of peace "offered to him by France." Lamberti, 1696

The following paragraph, much to the same purpose, occurs in the Monthly Mercury of April 1696, under the article *Italy*.

"The new project of the French king, and "of James, upon England, was as soon "known in Italy as in Holland. A courier "was dispatched from the duke of Orleans "to the duke of Savoy, his son-in-law, to lay "before him the projects of the king of "France and of James; and without disco- "vering the conspiracy, at the same time set "on foot against the person of William, told "him only, that measures were taken for "restoring James which were in[illegible]ble; "and therefore exhorted him not to lose a "minute's time in making a private and "advantageous peace, to prevent him from "being inveloped in the ruin of the confede- "rates, which would be sure to follow the "approaching revolution."

[27] Lives of the Admirals, vol. ii. p. 423.

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Measures to relieve the embarrassments of the revenue.

out the best expedients for recovering public credit, absolutely necessary for maintaining the war, and carrying on trade.

The patriotic exertions of the commons in this session, deserve to be remembered with the warmest gratitude by posterity. Both admiration and esteem are called forth, while we consider the ingenuity of individuals, in devising expedients, to deliver the nation from the most pressing embarrassments; and the generosity of parties, in suspending animosities, and cordially adopting those measures, which were essential for restoring national credit and prosperity. While the example of their wisdom and success inculcates this encouraging maxim, that the patriot ought never to despair under the darkest and most perplexing aspect of public affairs, the resolutions and measures, which they pursued, exhibit specific remedies for similar calamities, if they should occur at any future period. I shall only, in general, mention those facts which give an astonishing view of the spirit and wisdom, displayed in the house of commons. Every former session of parliament, since the commencement of the war, had never proposed any thing farther, than to impose taxes adequate to the interest of the principal sums borrowed for the services of the year; and they had often failed in this purpose, through the insufficiency of the funds for the payments assigned to them, and exchequer tallies were discounted at the rate of thirty or forty per cent. The house of commons, during this session, not only provided funds for raising the whole supplies within the year, but also for discharging the deficiencies of all former supplies. The sum of five hundred and fifteen thousand pounds was voted for the relief of the civil list, which was in arrears, and the sum of one hundred and twenty-five thousand pounds, for making good the deficiency in recoining the money. These resolutions, and the measures by which they were accomplished, while they reflect honour on all who acceded to them, consecrate the name of Mr. Montague, the chancellor of the exchequer,

 to

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to distinguished and lasting applause. Possessed of an understanding penetrating and comprehensive, he devoted himself, with intense application, to the study of finance; and suggested expedients and resources, which not only eluded the researches of the most ingenious speculators, but exceeded the comprehension of many, who were far from being ignorant or inexpert with respect to the ordinary business of the revenue. The names of the celebrated sir Isaac Newton, and Mr. Locke, are also transmitted to our gratitude, for having contributed their assistance to Mr. Montague in this arduous business; and it is a pleasure to publish every circumstance, which adds to the merit of those, whose memory is so precious to every friend of science and virtue [28]. At the same time it may be observed, that all their ingenuity would have been exercised in vain, and all their expedients and resources must have failed, if the means and faculties of the nation had not been in a state of progressive improvement. A sum exceeding ten millions, raised within the space of one year, in a nation which had already supported seven expensive campaigns, affords the most unequivocal proof of the increase of national prosperity in consequence of the revolution; and founds a just expectation that such prosperity will be progressive, as long as the soundness and vigour of the British constitution are preserved [29].

Inquiry concerning miscarriage at sea.

At the beginning of this session, an inquiry was instituted with regard to the miscarriage of the fleet. Sir George Rooke had been censured, for not having intercepted the Toulon squadron before it had got round to Brest. Agreeably to an order of the house, he produced

[28] Caningham, vol. i. p. 155.

[29] Drake's History of the last Parliament. "The renewing of the money of England, "so debased and counterfeited as it was, will "certainly be one of the most remarkable oc-"currences for future historians to take notice "of; an enterprise which equally proves the "puissance and wisdom of the nation. There "is in it something more than usually great. "At the same time that they were to set out "fleets and pay formidable armies, of a sud-"den they were melting down almost all the "money of the kingdom, and entirely set they "then provided for all the exigencies of the "state." Monthly Mercury, August 1696, article *England*. I give this as an evidence of the opinion which foreigners entertained of the greatness and importance of this transaction.

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produced his journals, and the inſtructions he had received from the admiralty. Sir Cloudeſly Shovel alſo laid before the commons copies of the orders ſent to him, relating to his junction with ſir George Rooke[30]. It does not appear that the prejudice or ſpirit of party entered into theſe inquiries; and, as no reſolutions were formed upon them, it is fair to conclude, that no ground of criminal charge could be found. The attainder of ſir John Fenwick, the account of which has been anticipated in the preceding pages, conſumed a great proportion of the time of both houſes in this ſeſſion, which terminated on the ſixteenth of April, one thouſand ſix hundred and ninety-ſeven.

[30] Journ. Commons, November, paſſim.

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*Symptoms of the Approach of Peace.—Plenipotentiaries meet at Ryswick.—The Emperor and the King of Spain averse to Peace.—The latter brought over by the Success of the French Arms.—The Election of a King of Poland makes Lewis more desirous of Peace.—Articles signed.—Merits and Effects of the Peace.—Misunderstanding among the Allies the Cause of circumscribing the Advantages of it.—No Toleration obtained for the Protestants under the Dominion of France.—Charge against King William for consenting that the Son of James should succeed to the Crown of England—founded upon the Conferences between the Earl of Portland and the Marshal Boufflers.—Conjectures of contemporary Historians concerning the Subject of these Conferences.—Extract from the Life of James, charging King William with having consented to the Succession of his Son.—Reasons for calling in question the Authority of this Extract.—Circumstances which render the Fact alleged improbable—Origin of this Aspersion upon the Memory of William.—The Succession of the Son of James desired by Lewis.—Conjecture founded upon the Authority of the Duke of Berwick.—The Subject of the Conferences between Portland and Boufflers.—Information of Burnet.—His Character as a Historian.—Account given by the Marquis de Torcy concerning the Conferences between Portland and Boufflers.—Inferences from the Memorials and Instructions sent to the Plenipotentiaries at Ryswick.*

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AS ſome of the events of the preceding year tended to diſpoſe the inclinations of the contending powers to peace, ſo ſteps had been actually taken to circumſcribe the operations of the war; and various circumſtances concurred to excite the hope of bringing it to a concluſion in the courſe of the next campaign.

Symptoms of the approach of peace.

The defection of the duke of Savoy, while it reſtored peace to Italy, ſpread a ſpirit of fear and diſtruſt among the confederates [1].

[1] Hiſtory of Europe.

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The diſappointment of the French invaſion, and, in conſequence of this, the failure of the conſpiracy intended by the friends of James in England, extinguiſhed the hope of re-eſtabliſhing his power by the continuance of the war[2]. The ambition of the French king was ſtill alive, but the object of it was changed, and appeared to be attainable only through the medium of peace. The infirm conſtitution, and precarious life of the king of Spain, flattered Lewis with the near proſpect of advancing the honour and dominion of his family, by the acceſſion of an extenſive and opulent empire. But his claim to it, though founded upon the right of lineal ſucceſſion, was cut off by former treaties, which would certainly be enforced by the arms of the confederacy[3].

Sept. 1696.

Influenced by theſe conſiderations, the French king ſent Monſieur Callieres to the Hague, to propoſe overtures for a general peace to Dykevelt, miniſter of the States; who had been warned by William to liſten to them with reſerve, and upon the expreſs condition that nothing ſhould be concluded without being communicated to the allies[4]. One important article was contained in theſe preliminary overtures, namely, that the title of William to the throne of England ſhould be acknowledged by France in the moſt explicit terms; and this alone, notwithſtanding other circumſtances of diſagreement, gave the faireſt hopes of approaching peace[5]. The king of Sweden was alſo engaged, by the ſolicitation of France, to offer his mediation for procuring a general peace; and plenipotentiaries were appointed by England and France to enter into negociations for that purpoſe[6].

Plenipotentiaries meet at Ryſwick.

After no ſmall altercation about the place of meeting, it was agreed, that the conferences ſhould be held at Newburg-houſe,

[2] Life of James, 1696.

[3] Variations de la Monarchie Françoiſe, tome iv. 1697.

[4] Ralph, vol. ii. p. 677.

[5] Hiſtorians of the Times.

[6] Charles the Eleventh, king of Sweden, died before the commencement of the negociations for peace; but the mediation of his ſucceſſor, Charles the Twelfth, was offered and accepted. The earl of Pembroke, viſcount Villiers, and ſir Joſeph Williamſon, were named plenipotentiaries by the king of England. To Callieres, the French king added Crecy and Harlay.

a palace

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a palace belonging to the prince of Orange, between the Hague and Delft, and close by the village of Ryswick[7]. The conferences began upon the ninth of May, one thousand six hundred and ninety-seven.

The emperor and the king of Spain averse to peace.

As the emperor and the king of Spain had been brought with difficulty to consent to the commencement of negociations for peace, so they both discovered repeated inclinations to discontinue and thwart them[8]. The aversion of the emperor to a peace may be traced to the same cause, which rendered the king of France so solicitous to obtain it. Upon the death of the king of Spain, these two princes were to enter the lists, in competition for the Spanish monarchy; and, considering the advantages the French king derived from the argument of natural justice, from proximity of situation, and military force, the emperor could entertain no prospect of success, without the assistance of a confederacy, formed upon a jealousy of his rival. Such a confederacy, already subsisting, might act with promptitude and vigour; but, if once dissolved, it was evident that the renewal of it would be difficult and uncertain; and that, in every view, it must be attended with delay which might prove fatal to its design[9].

The latter brought over by the success of the French arms.

The ambiguity with which France treated concerning the restoration of some of the places taken from the emperor and Spain in the course of the war, and the proposed substitution of an undefined equivalent, afforded a more colourable pretext for opposing the peace. The reluctance of Spain was at first cherished by the influence of a faction at court, adverse to the claim of France upon the Spanish monarchy; but this, as well as other motives of opposition, was surmounted in the progress of the treaty, by the ill success which still attended her arms[10]. The losses which Spain had hitherto sustained, during the course of the war, in distant regions of the

7 Monthly Mercury.
8 Histoire de France, tom. iii.
9 Torcy, vol. i.
10 Ibid.

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empire, were eaſily concealed from a prince, whoſe mean underſtanding, and bodily infirmities, rendered him incapable of receiving impreſſions of calamity or danger, which did not immediately fall under the obſervation of his ſenſes. But when Barcelona, ſituated in a contiguous province, was invaded, and at laſt yielded to the arms of France, the conſternation, which agitated the court, quickly diſperſed every ſcruple and objection to the general pacification[11].

The election of a king of Poland makes Lewis more deſirous of peace.

In the courſe of the negociations an event occurred, which rendered France ſtill more eager for the attainment of peace; and diſpoſed her to relax ſomewhat of the rigour of thoſe demands, which evidently militated againſt juſtice, and the intereſt and honour of the allies. She had exerted her utmoſt influence to obtain the vacant throne of Poland for the prince of Conti, whoſe elevation ſhe expected would contribute to ſtrengthen her hands againſt the allies; and ſhe was juſt upon the eve of eſtabliſhing his ſucceſs, by the influence of the cardinal primate, when the elector of Saxony became a competitor, and, by declaring his converſion to the Roman catholic religion, detached the cardinal from the party of France; and, by engagements to the Poliſh nobility, ſecured their ſuffrages for him at the election[12].

27th July.

Articles ſigned.

The peace now advanced without any material interruption; and the articles of it were ſigned by the Engliſh, Dutch, Spaniſh, and French ambaſſadors, on the twentieth of September, one thouſand ſix hundred and ninety-ſeven. The imperial and electoral ambaſſadors, by the inſtigation of the emperor, entered their proteſtation againſt it[13]. It was impoſſible that the emperor could ſtand ſingle and unſupported againſt the power of France. His pride and

[11] Spain alſo loſt Aeth in the courſe of theſe negociations. The king was ſo ignorant as to believe that Mons belonged to the king of England, and to pity that prince when it was taken by Lewis. Torcy, vol. i. p. 8. A French fleet was ſent to the Weſt-Indies, and took Carthagena; and, though that event was not known till after the peace was ſigned, yet the fear of it may be ſuppoſed to have had influence upon the court of Spain, 20th September 1697.

[12] Hiſtoire de France, tom. iii.

[13] Ralph, vol. ii. p. 753.

obſtinacy

obſtinacy were, however, in ſome meaſure ſatisfied, by the reluctance and heſitation of his conceſſions to the conſtraint of political neceſſity. He firſt conſented to a ceſſation of hoſtilities with France: he next accepted of Briſac and Friſburg, as an equivalent for Straſburg; and, at laſt, he put the finiſhing hand to the peace, by ſigning the articles, with expreſſions of diſcontent, a month after the reſt of the confederates[14].

Merits and effects of the peace.

By the terms of the peace, no new or ſtriking advantage was obtained by any of the contending powers; and the political ſtate of Europe was placed nearly in the ſame poſture as that, in which it had ſtood at the commencement of the war. In this ſimple and general view, the treaſure and blood of the confederates may appear to have been wantonly and unprofitably laviſhed; and England, which contributed more than her proportion of both, though ſhe had leaſt to expect from the ſucceſsful iſſue of the war, may appear to deſerve the greateſt ſhare of that cenſure which is due to raſh and deſtructive policy.

In order to eſtimate, candidly and truly, the merits of the peace of Ryſwick, ſo far as they relate to the intereſt of England, it is neceſſary to recollect the motives, which engaged her to enter into the war, and the advantages ſhe expected from the proſecution of it.

There were, evidently, two principal objects of the war, intereſting both to England and the allies: 1ſt, It was intended to control the ambition and depreſs the power of France: 2dly, It was neceſſary to confirm the revolution, and to ſecure to William the poſſeſſion of the throne of England. In the firſt of theſe, England was intereſted more remotely, and conjunctly with the other confederate powers;

[14] By the fourth article of peace, the French king promiſes, for himſelf and his ſucceſſors, that he will on no account whatſoever diſturb the king of Great-Britain in the poſſeſſion of the kingdoms, &c. which he now enjoys; and therefore engages, upon the faith and word of a king, that he will not give any aſſiſtance to any enemy of the ſaid king of Great-Britain; and that he will in no manner whatſoever favour the conſpiracies which ill-diſpoſed perſons may, in any place, contrive againſt ſaid king. See the articles of the peace, Life of William, vol. iii. Appendix, p. 22.

but

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but the other, namely, the confirmation and permanent eſtabliſhment of the revolution ſettlement, was her peculiar, appropriated concern; though, by its immediate effects, it was intimately connected with the former, and ſo far reckoned an object of general concern to the allies. The zeal of William to humble France, ſupported by the wealth and power of England, it was believed, would fully anſwer the moſt ſanguine expectations of the confederacy. It has been obſerved, in preceding paſſages of this hiſtory, that the power of France, from a variety of incidents, had aſcended to ſuch a pitch as to excite univerſal jealouſy and alarm. From her repeated incurſions into the frontiers of Holland, as well as from her intrigues with internal factions in the States, it could not be doubted, that they, after the conqueſt of the Spaniſh provinces in the Low Countries, were deſtined to be the victims of her ambition. If the power, and, particularly, the maritime power of France, had been augmented by the conqueſt of Holland, or even by its reduction to a ſtate of dependence upon her, the commerce, the opulence, and the force of England, muſt have been, in proportion, reſtricted and diminiſhed. Nay, there was ground to apprehend, that, in conſequence of ſuch an event, the independence and conſtitution of England would have been expoſed to extreme hazard. Attending to theſe circumſtances, it is natural to ſuppoſe, that the patriotic anxiety of William for Holland rendered him ſedulous to propagate a terror of the power of France, in order to aſſociate neighbouring princes in a common ſcheme of defence; and particularly to cheriſh, as far as his influence extended, in England, an impreſſion of the inſeparable connection of her intereſt with that of Holland. His elevation to the throne of England augmented that influence: but it is evident that he did not plant or inſpire thoſe ſentiments of oppoſition between the intereſt of France and England, or of a connexion between that of England and Holland. From the whole tenor of the preceding hiſtory we have ſeen, that a jealouſy of France was the predominant

paſſion

paſſion of the Engliſh, that the oppoſing this paſſion was the cauſe of the diſcontent and factions, which diſturbed the reign of Charles the Second; and that the well-known conformity of the ſentiments and affections of William to thoſe of the Engliſh, with reſpect to foreign politics, firſt excited the ſtrong prejudices of the nation in favour of that prince, and paved his way to the throne of England. The deſire of reducing the power of France was not, therefore, ſuggeſted by William to the people of England; but was already engraven upon their hearts; and diſpoſed them to enter, with full approbation, into the war; and, in the proſecution of it, to ſubmit to public burdens, unexampled in any preceding period. How far then was this object attained by the war, or finally ſecured by the peace. It will be readily acknowledged, that the ſucceſs of the war was not adequate to what might have been expected from the collected forces of the confederates, and the ſpirit and views with which they entered into it; and, in the ſame proportion, the terms of peace fell ſhort of thoſe views, which had been generally indulged at the commencement of hoſtilities; and were found, after the experience of a few years, inſufficient to reſtrain the uſurping ſpirit of Lewis. But ſtill, though the territorial dominions of France were not impaired, nor her ambition extinguiſhed, nor the power of gratifying it, in future, annihilated, there remained obvious and important advantages, which ought fairly to be aſcribed to the war, and which were ſufficiently ſecured by the articles of the peace. The encroachments, which the French king attempted to make upon the provinces of Spain, of the empire, and the States, were prevented: their frontiers were defined, and better fortified againſt any future aſſaults from France: her internal power was weakened: her reſources were exhauſted; and ſhe was reduced to a ſtate leſs formidable to Europe, than that, in which ſhe ſtood previous to the reſiſtance ſhe met with from the arms of the confederacy.

As

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As the opposition of France to the revolution in England, and the assistance she promised to James, was another cause of the war, so the acknowledgment of the right of William, in the most explicit terms, and the renunciation of any future support to the dethroned prince, which were fully obtained and secured by the peace of Ryswick, gave confirmation and stability to the revolution. In this view, its merits must stand high in the estimation of every friend to liberty and the constitution. If the revolution was indispensable to the attainment and preservation of these; if the fruits of it, which we ourselves have reaped, exceed the most sanguine hopes and calculations of those, who were the instruments of promoting it, can we hesitate to pronounce, that it was impossible for the nation to pay too great a price for such inestimable blessings; and, that it would have been dastardly and treacherous in our fathers, to have shrunk from expence and dangers, which were necessary to render them secure and permanent to their posterity?

Misunderstanding among the allies, the cause of circumscribing the advantages of it.

Though these substantial advantages were obtained by the war, it must be regretted, that an unfortunate misunderstanding among the allies, after the commencement of their negociations for peace, was not only the occasion of their sacrificing the interests of their common friends, but of their thwarting one another in articles, in which the honour of the principal members of the confederacy seemed to have been deeply engaged. The dutchy of Lorrain was restored to its proprietors, in that dismembered, dependent condition, to which it had been reduced by the peace of Nimeguen; and to which his predecessor never had consented[15]. The expectations of the French protestants

[15] The duke of Lorrain has rendered essential services to the emperor and the States, in the war concluded by the peace of Nimiguen 1678; and yet, by the terms of the peace, he was almost entirely subjected to the discretion of France, which insisted upon retaining the property of lands running through his country. To these terms he had refused to consent. Upon the commencement of the war 1689, he was appointed to the chief command of the imperial army; and, at the same time, he published a manifesto, declaring war against France, in his own right. His death, April 1690, when he was just preparing to take the field,

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protestants were fatally disappointed by the conclusion of the peace. They had met with a kind reception from the king and the people of England, and were encouraged to hope, that their restoration, and the free exercise of their religion, would have been made a condition of the treaty; but, as if it had been a matter of inferior moment, or, perhaps, from a foreboding of disappointment, their business was postponed till the close of the treaty. Two days before signing the articles between England, Spain, Holland, and France, a memorial was presented by the Dutch plenipotentiaries, in favour of the protestant refugees. The French king received the proposal with displeasure, and declared, that he considered it as an invasion of his prerogative, for foreign princes to presume to interfere in any subject connected with the internal government of his kingdom [17].

No toleration obtained for the protestants under the dominion of France.

The protestant religion sustained a shock in another instance; after it appeared secure, by the first steps in the negotiations for peace. In conformity to the articles of the peace of Westphalia, admitted as the basis of the present treaty, as well as the fundamental laws of the empire, and repeated and solemn ratifications, it was demanded by the ambassadors of the protestant princes, that the Lutheran religion should be tolerated in Strasburg, and other cities of Alsatia, left in the possession of France; but this demand, however just, and

field, was reckoned ominous to the allies; as he was esteemed a gallant soldier and able general. The desertion of the son, who was a minor, at the peace of Ryswick, brought a great stain upon the allies.

The queen of Poland presented a memorial to the plenipotentiaries, representing, in spirited and pathetic terms, the injustice done to her son and family. The restoration of Lorrain to her son, she demanded as a preliminary to the peace. "I plead," says she, "in behalf of four orphan children, of whom the eldest is Leopold duke of Lorrain, descended from sixty-seven dukes, one after another, of this august race, and so illustrious, that there is not any king or prince now living in Europe, no not the king of France himself, but has some of their blood running in his veins." Monthly Mercury, July 1697. The tenth article of the treaty relates to Lorrain; but does no more than renew what was agreed to at Nimiguen, to which the late duke never had consented. Ibid.

[17] Tindal, vol. iii.

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however much desired by king William and the States, was defeated by the bigotry or ill humour of the emperor, who agreed, by the fourth article of the treaty with France, that the Roman catholic religion should remain in the same state, in the places restored, as it then was. A joint remonstrance against this article was presented by the ministers of the protestant princes, but could not procure the suppression of it; and, of consequence, a great number of protestant churches was condemned [17].

Charge against king William, for consenting that the son of James should succeed to the crown of England.

Whatever demerit was contracted by the neglect of the protestant interest, and whatever injuries it sustained, in the instances now mentioned, at the peace of Ryswick, they are equally chargeable upon all the protestant powers who were engaged in the confederacy. A charge of a more heinous nature, and deeply affecting the veracity and the honour of William, was obliquely insinuated immediately after the conclusion of the peace; but met with little credit at that period. It has been again revived by a late historian, and affirmed with such positive assurance, and with such pretensions to proof, as require a full and accurate discussion, in order to form a just opinion of the character of William, and of the internal state of politics in England [18]. The charge against him is this; that, by a secret article of the treaty with Lewis, he consented that the son of James should succeed to the crown of England after his own demise; and that, upon this express condition, Lewis engaged to acknowledge the title of William, and to give him no disturbance in the possession of the crown during the remaining part of his life [19].

That the reader may be enabled to judge, after full information, concerning the nature and evidence of this charge, I shall now recite the circumstances from which it arose, and attend to the different inferences drawn from them by contemporary authors. I shall next give a fair account of the authority and evidence, upon

[17] Burnet, 1697. [18] Macpherson, vol. ii. c. 3. [19] Ibid.

which

which the opinion of Mr. Macpherſon is founded; and ſhall ſtate the objections, to which, both that evidence, and his concluſions, are liable.

Founded upon the conferences between the earl of Portland and the marſhal Boufflers.

After the treaty of peace had been carried on for three months, without the near proſpect of a concluſion, the curioſity and expectation, of all the different parties concerned in it, were attracted by a new and unlooked-for ſcene of negotiation. The earl of Portland, the confident of king William, and marſhal Boufflers, one of the generals of France, often met between the two armies near Hall, without attendants, and continued for a conſiderable time in conference. The firſt of theſe conferences was held on the tenth of July, one thouſand ſix hundred and ninety-ſeven; they were repeated on the fifteenth, the twentieth, the twenty-ſixth, of the ſame month, and concluded on the fourth of Auguſt; when, after having remained ſeveral hours in the field, the earl and the marſhal retired to a houſe in the ſuburbs of Hall, called for pen, ink, and paper, and, it is ſuppoſed, reduced to writing the ſubject or terms of peace, which they had previouſly diſcuſſed and ſettled in the field [20]. The day after this laſt interview the king left the camp, and retired to Loo; and the earl of Portland was ſent to acquaint the commiſſioners of the allies, that, ſo far as concerned his maſter, every thing was ſettled between England and France; and to recommend to them, and particularly to the agents of the emperor, who had hitherto appeared tardy and diſſatisfied, to haſten their endeavours to bring about a general peace [21].

Conjectures of contemporary hiſtorians, concerning the ſubject of theſe conferences.

It never was clearly aſcertained, whether theſe detached conferences, between Portland and Boufflers, were firſt propoſed by William or Lewis; and, as the ſubject of them remained a profound myſtery, not only to the world, but to the plenipotentiaries of the confederates, they proved the occaſion of various conjectures, and excited the hopes and the fears of different parties. Doctor

[20] Hiſtorians of the times. [21] Vie de Boufflers. Life of William.

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Burnet asserts, that the earl of Portland told him, that the subject of these conferences was concerning king James[22]. Kennet informs us, that many of king William's friends entertained a suspicion, that he had entered into a private agreement with the king of France about king James, or his issue, upon conditions of having the peaceful enjoyment of his dominions during life, and of being acknowledged king of Great Britain by his Christian majesty; that some were of opinion, that these conferences related to the dowry of king James's queen; and that others again, at a later period, conjectured, that they were the foundation of the partition treaty, afterwards concluded between William and the king of France[23]. The author of the Life of William adopts the narrative of Kennet[24]. In an extract of the Life of James, published by Mr. Macpherson, it is positively affirmed, "That the king of France had underhand prevailed "with the prince of Orange, to consent that the prince of Wales "should succeed to the throne of England after his death." But, according to the same extract, "the proposal was rejected by James, "upon the score of conscience. He could not support the thoughts "of making his own child an accomplice to his unjust dethronement[25]." Upon the authority of this extract, Mr. Macpherson admits it as a fact, that the succession of the son of the exiled king was the subject of the secret negotiations, carried on by the earl of Portland and marshal Boufflers; that William consented to the son of James succeeding to the throne of England after his death; that Lewis engaged, upon this condition, to acknowledge his title, and allow his reign to elapse in peace; and that thus, a mystery, long impenetrable, is now clearly developed. From these conclusions, this historian declaims, with pointed invective, against the hypocrisy, the ambition, and the treachery, of the man, whose actions have been hitherto ascribed to public spirit, and zeal for the cause of civil and

Extract from the Life of James, charging king William with having consented to the succession of his son.

[22] Burnet, 1697.
[23] Kennet, vol. iii. p. 737.
[24] Life of William, vol. iii. 1697.
[25] Life of James, 1697, Extract 2.

religious

religious liberty. In order to fuſtain the charge, and, perhaps, to extenuate the guilt involved in it, he enumerates the motives, which, probably, prevailed with William to facrifice honour, principle, and confiſtency of character, to political advantages [26]. But if the fact is once admitted, the propriety of the detraction will not be controverted; and the character of William muſt ſink, in the eſtimation of thoſe, who, however much they may be warped by the prejudice of party, ſtill maintain inflexible principles of morality, and a ſupreme veneration for immaculate examples of honour and patriotiſm.

Reaſons for calling in queſtion the authority of this extract.

At the very threſhold of this diſpute, the candid inquirer will find himſelf ſtaggered with thoſe circumſtances ſuggeſted by Mr. Macpherſon, with reſpect to the authority of that information, which is the ſolitary baſis of ſuch deep crimination, imputed to the character of William. It is acknowledged by this author, that the Continuation of the Life of James, from which the extract, containing this remarkable information, is tranſcribed, was written or compoſed, not by James himſelf, but by another hand [27]. But he adds, "As "it was done under his inſpection, and corrected by himſelf, it "poſſeſſes as much authority as if it had been written by him, in his "own hand [28]." To every inquiſitive reader the following queſtions will ſpontaneouſly occur, as the ſolution of them appears moſt important, to direct his judgment upon the ſubject now under our contemplation. Who was the author or writer of the Continuation of the Life of James? From whom did he derive his information? From what evidence is it concluded, that the work was reviſed or corrected by James? Can any ſatisfactory reaſon be aſſigned, why James, who ſurvived four years after the peace of Ryſwick, and who had committed to writing, with inceſſant labour, many trivial incidents of his former life, ſhould have laid down the pen, and diſcontinued his journal, when an event ſtarted up, ſo intereſting to his family, ſo

[26] Macpherſon, vol. ii. c. iii.

[27] Life of James, 1697, Extract 2, in the note.

[28] Life of James, 1697.

reproachful

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reproachful to the character of his antagonist; an event which afforded so honourable a testimony, as he imagined, to the steadiness and purity of his own principles; and which, in various points of view, must have appeared a distinguished subject of record?

Circumstances which render the fact alleged improbable.

But suppose again, that the proposal, of securing to the family of James the succession to the crown, had really been made by Lewis, agreed to by William, and imparted to James, is it credible, that it could have been concealed from the friends of the latter? or, if the fact had been made known to them, that it should not have entered the circle of conversation, and added to the mass of political intelligence, among all parties in France and England? It is not alleged, in the Life of James, nor pretended by Mr. Macpherson, that Lewis exacted any obligation to secrecy from James; nor was there any reason why he should have come under such an obligation, since the transaction was begun and finished without his knowledge or participation [*]. Besides the difficulty of keeping a secret, so well calculated to gratify curiosity and excite astonishment, which are strong temptations to reveal secrets, various and pressing motives must have induced the friends of Lewis and James to divulge it to the world. The latter were depressed and offended by the coldness with which the affairs of their master were treated, during the progress of the negotiations at the congress, and at last driven to despair, and filled with indignation, when they found that his interests were treacherously neglected by Lewis, at the peace of Ryswick. After repeated and flattering promises, Lewis did not so much as insist, that the commissioners of James should be accessory to the negotiations for peace. Even his memorials were excluded from consideration, nor did it appear, that any remonstrance or protestation was entered, in the name of the French king, in order to palliate the indignity of the affront, or any condition or advantage obtained by his intercession for James, to mitigate the severity of a sentence of

[*] Life of Bentinck, Biographia Britannica.

degradation

degradation and exile, corroborated by the ſolemn engagements of the moſt conſiderable princes of Europe[30]. If the French king had ſtipulated for the ſucceſſion of the ſon, and, more eſpecially, if the rejection of this article no longer required it to be locked up in ſecrecy, he would have had ſomething to plead with the friends of the father, to appeaſe their reſentment, and to vindicate the honour of his friendſhip. It might have been repreſented, fairly, in behalf of Lewis, that, when the circumſtances of his own ſubjects were taken into conſideration, diſcouraged, drained of money, depopulated by war and famine, the compromiſe he obtained for the family of James was a ſufficient apology for a temporary, external dereliction of his intereſt.

But, ſuppoſing that James neither choſe to admit nor to furniſh others with any apology for the conduct of Lewis, by accepting his offer to ſecure the reverſionary ſucceſſion of the crown of England to his family, while his own perſonal title was formally diſclaimed and abandoned; yet, what reaſon could he have for making a ſecret of a tranſaction, the diſcovery of which muſt have ſo highly redounded to his private advantage, both as it eſtabliſhed the refined integrity of his character, and might have effectually adminiſtered to the conſolation of his friends, and the future ſupport of his intereſt, ready to expire by their deſpondency, in conſequence of the peace? James, according to the account extracted from his Life, rejected the propoſal of Lewis; becauſe it was fraught with injuſtice, and muſt have loaded his ſon with guilt. His friends, who boaſted of his moderation and diſintereſtedneſs, in declining to accept the crown of Poland[31], muſt have liſtened, with applauſe and delight, to

[30] Tindal, vol. iii.

[31] After the death of Sobbeiſki, 1696, James was propoſed, by ſome of the electors, to be his ſucceſſor to the crown of Poland. Lewis made intimation of this to James, and probably wiſhed him ſucceſs, as it would relieve himſelf from his engagements to reſtore him to the throne of England. James refuſed the offer, becauſe he thought it would imply a renunciation of his right to the crown of England. Life of James, 1696.

a more

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a more ftiking example of the fcrupulous rigour of his juftice, and the power of his faith, by fpurning at indirect means to eftablifh a righteous caufe, while he relied entirely upon the juftice of Providence, for the reftoration of the dignity and rights of his family.

In a political view, the communication of this important fecret muft have been falutary to the interefts of James. How much would it have contributed to raife the drooping hopes of his friends, and to keep alive among them the fpirit of union and enterprife, to have been informed, that the reftoration of the royal family was propofed by Lewis, and that every obftacle to that defirable event would be removed by the death of William? The accomplifhment of their fondeft wifhes was only for a fhort time to be delayed. The knowledge of fuch an important fecret might eafily have been improved into an anticipation of the object, which was yet diftant and uncertain. If it had once tranfpired, that William had confented to the reftoration of the exiled family, the difappointment and refentment of one party, no lefs than the hopes and affections of another, muft have proved fatal to his dignity and life. All parties would have contended, with affiduity and zeal, to make their court, by whatever means were moft acceptable, to the houfe, to which the royal power was to return and be attached.

If no other purpofe but the gratification of malice could have been obtained by it, yet that would have been fufficient inducement for proclaiming to the world a fact, fo deftructive of the reputation of William. He would have been held forth as the bafeft impoftor, that ever made any pretenfions to principles and patriotifm. Confidering the hazards to which fuch a compact muft have expofed his dignity, his reputation, his life; he muft have appeared, not only devoid of principle, but what his enemies never alleged, unacquainted with human nature, and utterly deftitute of the firft principles of prudence and policy. Would he have confented to a meafure that put him fo much in the power of his enemies? He

well

well knew, that any conceſſions made by France, for his dignity and peace, were merely complimental, and conſtrained by neceſſity; and that no obligation to honour or ſecrecy would have reſtrained Lewis from employing ſo fit an inſtrument to gratify his reſentment, againſt a perſon, who ſeemed to be raiſed by Heaven to be a check and ſcourge to his ambition.

The ſilence of later authors, no leſs than the ſentiments and behaviour of contemporary hiſtorians, heighten the incredibility of William's having been acceſſory, or conſenting, to any propoſal for reſtoring the exiled family. The malice of his enemies did not ceaſe upon the expiration of his life and power. The rancour of a party, irritated by the ſucceſs of his enterpriſe, and by their own diſappointment in repeated attempts to overturn his power, was tranſmitted, with unabated vehemence, to the repreſentatives of their families, and the ſucceſſors of their principles; and the conduct of William has been ſifted with all that ſeverity of criticiſm, and attacked with all that aſperity of invective, which are uſually levelled againſt perſonal enemies, and the living authors of recent injuries. Is it not amazing, that a tranſaction, ſo deciſively fatal to his reputation, ſhould never have reached the ear open to the whiſpers of ſcandal, nor met the eye intent on the page of defamation? Among the multitude of ſevere inquiſitorial ſearchers, who have ranſacked every ſequeſtered repoſitory of information, nothing but the moſt profound ſilence remains, with reſpect to the fact now in queſtion. Which then, let the judicious reaſoner pronounce, which of the alternatives is beſt entitled to belief; that a fact ſo extraordinary and intereſting ſhould have eſcaped the obſervation and reſearch of the curious, inquiſitive, and malicious reader; or, that it ſhould have been forged and interpolated at a later period, by enemies to the perſon and politics of William?

Origin of this aſperſion upon the memory of William.

Nor, upon the ſuppoſition that this calumny, ſo injurious to the character of William, had ſpread immediately after the date of the

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The succession of the son of James desired by Lewis.

transaction with which it was connected, would it require any stretch of ingenuity to account for its origin and currency, without admitting it to have existed in fact. The plan of restoring the scepter to the family of James must, unavoidably, have entered into the mind of Lewis, when he found it necessary to depart from his promise to the father, and formed the resolution of acknowledging the title of William. Ashamed of having deserted his friend, but unable to adhere to his first engagements, he might, for the purpose of giving consolation to James, as well as for his own vindication, suggest the prospect of the son's elevation. He might undertake to lend his hand to accomplish it. Nay, he might probably proceed farther, and propose this compromise, at the congress of Ryswick, by way of peace-offering to James, indignant and humbled because his dethronement and exile were to be ratified in the terms of the peace. It was of little importance to Lewis, whether it was agreed to or not. His intention was answered; his breach of friendship, in some degree, expiated, if he had it in his power to say that he had made such a proposal. Indeed, from the influence of contingent circumstances in England, it was, at least, not an improbable event, that, without the mediation of Lewis, the son of James might succeed to the throne of his ancestors; but the consent of William, upon all rational grounds of political calculation, would have tended to obstruct, rather than to promote, that event. The ambition of the princess Anne, which often suppressed the returning emotions and struggles of natural affection, would instantly have taken alarm: the strenuous exertion of her friends would have been employed: every interest improved, and every party invited, to fortify the act of settlement. Nor is it in the least degree probable, considering the antipathy of the English nation to France, that they would have consented to receive a prince, upon the stipulation of the French king with William, in direct contradiction to the avowed principles of the latter, and to the act of settlement promoted by his influence. The consent of Lewis to acknowledge

knowledge the ſon of James, as king of Britain, four years afterwards, upon the demiſe of his father, rouſed the indignation of the people in England; and conſtrained a tory miniſtry, in oppoſition to their political predilections, to enter into the ſecond grand alliance.

Conjecture founded upon the authority of the duke of Berwick.

The teſtimony of a reſpectable contemporary author adds great weight to theſe conjectures, concerning the origin of the ſtory, relative to the ſucceſſion of the ſon of the abdicated king. In the Memoirs of the Duke of Berwick, we meet with the following remarkable paſſage, directly applicable to the fact under controverſy: "A "little while after the peace of Ryſwick, his moſt chriſtian majeſty "had propoſed to the king of England, that, if he would ſuffer the "prince of Orange to enjoy the kingdom in quiet, he would enſure "the poſſeſſion of it, after his death, to the prince of Wales. The "queen, who was preſent at the converſation, would not allow her "huſband time to anſwer; and declared that ſhe would rather ſee "her ſon dead, than in poſſeſſion of the crown to the prejudice of "his father; upon which his moſt chriſtian majeſty changed the "converſation. It is probable, that what he had ſaid, had been pre-"viouſly conſulted with the prince of Orange; and it was, if I may "venture to ſay it, a great imprudence to refuſe ſuch an offer [32]."

The attentive reader need not be directed to obſerve, that the account given by the duke of Berwick, in theſe ſentences, concerning the propoſed ſucceſſion to the crown of England, differs, in very material circumſtances, from that which is publiſhed by Mr. Macpherſon, in the Continuation of the Life of James. The latter ſuppoſes this propoſal to have entered into the negociations for peace at Ryſwick. The former ſtates it to have been poſterior to that event. If it had been firſt ſtarted at the negociations for peace, it is not probable that the duke of Berwick could have been ignorant of it. A more ſtriking diſcrepancy ſtill occurs between the accounts of theſe two authors. The duke of Berwick aſcribes the refuſal of this offer

[32] Memoirs of the Duke of Berwick, vol. i. p. 157.

 made

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made by Lewis, not to James himſelf, but to his queen. James aſſumes the ſole merit of the refuſal to himſelf. The duke of Berwick indeed adds: "It is probable, that what he ſaid had been previouſly concerted with the prince of Orange [33]." But this is merely a matter of conjecture. If it had been known to him as a fact, he would have mentioned it as ſuch, and, probably, would not have miſſed ſo inviting an opportunity of blackening the character of a perſon, whom he conſidered as the uſurper of his father's throne. As the duke of Berwick was a man of veracity and honour, and as there is no reaſon for ſuſpecting the authenticity of his memoirs, it is probable that his ſtory is grounded upon fact; and it is juſt what might naturally have been expected, from the poſture of political circumſtances, and the temper and views of the French king, already deſcribed. Conſcious, of having ſo deeply wounded the feelings of James, to ſooth his anxiety and reſtore his hopes, Lewis had recourſe to this expedient; and, in order to give the colour of ſincerity to his friendſhip, he might boaſt of having mentioned the ſubject to William, and of having obtained his conſent. Let the impartial inquirer, after due attention to theſe arguments and obſervations, decide, Whether the authority of the duke of Berwick, thus fairly conſtrued, ought not, in the ſcale of evidence, to overbalance the tale of an anonymous author, contradicted by the face of external circumſtances, and by all the motives, which can be imagined to have operated upon the parties concerned in this tranſaction?

So much in ſupport of the negative concluſion, that the conferences between the earl of Portland and the marſhal Boufflers did not relate to the ſucceſſion of the prince of Wales; and the arguments for this concluſion would have maintained their force unbroken and entire, upon the ſuppoſition, that the ſubject of theſe conferences had remained under the ſhades of impenetrable darkneſs. But if we attain poſitive evidence to aſcertain the ſubjects of them, and if they were

The ſubject of the conferences be-

[33] Memoirs of the Duke of Berwick, p. 158.

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of a nature ſo delicate and intereſting, as to juſtify the anxiety and privity with which they were conducted, we are warranted, with greater aſſurance, to contradict the ſuſpicions and reproaches which they have excited, to the diſadvantage of a character, ſo eminently entitled to the reſpect and gratitude of every Britiſh ſubject.

CHAP. XVII. 1697. tween Portland and Boufflers.

Information of Burnet.

Biſhop Burnet informs us, that the ſubject of theſe conferences was concerning king James and his queen; and this information he gives, not upon private opinion or conjecture, but upon the authority of the earl of Portland, who managed them upon the part of the king of England. "That lord told me himſelf, that the ſubject "of theſe conferences was concerning king James. The king deſired to know how the king of France intended to diſpoſe of "him, and how he could own him, and yet ſupport the other. The "king of France would not renounce the protecting him by any article "of the treaty; but it was agreed between them, that the king of "France ſhould give him no aſſiſtance, nor give the king any diſturbance upon his account; and that he ſhould retire from the "court of France, either to Avignon or to Italy. On the other "hand, his queen ſhould have fifty thouſand pounds a year, which "was her jointure ſettled after his death; and that it ſhould now be "paid her, he being reckoned as dead to the nation; and in this "the king very readily acquieſced. Theſe meetings made the "treaty go on with greater diſpatch, this tender point being once "ſettled [34]."

His character as an hiſtorian.

Whatever exceptions may be made to the teſtimony of Burnet in particular inſtances, yet few perſons of candour, who have taken pains to inveſtigate his character, will be inclined to deny, that he revered the authority of conſcience; and therefore, ſincerely declared what he himſelf, often with much prejudice, believed to be the truth. From the celerity with which he wrote, he is inaccurate as to dates, and often confuſed, from his lumping analogous events and meaſures,

[34] Burnet, 1697.

which

which were ſeparated by a long interval of time. Natural keenneſs of temper, ſharpened by the zeal of a partiſan, rendered him credulous of whatever information redounded to the honour of his own party, or to the diſcredit and reproach of his political antagoniſts. A reſtleſs curioſity made him buſy in prying into recluſe ſcenes, and picking up malignant and frivolous anecdotes, degrading to the dignity of hiſtory. An uncommon ſhare of vanity rendered him eager to embrace every opportunity of advancing his own conſequence, by communicating to the world rare and curious intelligence, and to make the moſt of what he had gathered from channels of information, to which few had acceſs. From theſe infirmities, he was liable to believe precipitately, and to judge uncharitably. He may be ſometimes blind to the hypocriſy of his friends, and ſometimes indulge in the tone of encomiaſtic declamation; and more frequently he may degenerate into the mean ſcurrility and virulence of libel. With ſuch impreſſions of his character, impartial inquirers after truth will be ſcrupulouſly cautious in attending to the evidence of the facts he brings forward; and they will often find reaſon to withhold their aſſent from the concluſions he draws from them, and from the opinions he delivers upon his own judgment, eſpecially with reſpect to ſubjects relating to the character and the meaſures of parties. But, after all theſe deductions, no inconſiderable degree of reſpect will be found, upon reaſonable grounds, due to the information of Burnet. Of his ſincerity, or intended veracity, we have no reaſon to doubt. If he mentions any fact, which he either ſaw or heard from others, we may believe that he either ſaw or heard it. The earl of Portland was the moſt competent perſon to inform him concerning the ſubject of the ſecret conferences carried on at Hall, between Boufflers and himſelf. That nobleman, who could have no motive to deceive Burnet, told him, that theſe conferences related to king James and the jointure of his queen.

But

1697.

Account given by the marquis de Torcy concerning the conferences between Portland and Boufflers.

But the evidence of the subject of these conferences does not rest upon the testimony of Burnet, or upon information flowing only from one of the parties concerned. The marquis de Torcy mentions these conferences, in order to confute a vulgar opinion, that the regulation of the Spanish succession made any part of the subject of them; and he affirms, that they related to three other articles: his account of the first of which precisely coincides with the information which Burnet received from the earl of Portland. "By the "first," says he, "William insisted that his enemies should re- "ceive no assistance from France. In particular, he mentioned "his father-in-law, king James. For the farther security of his "master, lord Portland demanded, that this unfortunate prince "should be obliged to remove from France, and to follow his "unpropitious star to Rome, or whatever other part of the world "he chose [35]."

Inferences from the memorials and instructions sent to the plenipotentiaries at Ryswick.

The authority of Burnet, with respect to another subject of these secret conferences, namely, what related to the queen's jointure, is also corroborated by the tenour of different memorials and instructions, given to the plenipotentiaries, when treating about the peace of Ryswick. From the perusal of these, it appears, that the jointure of king James's queen was particularly recommended to the attention

[35] The other two articles, which De Torcy represents to have been insisted upon by Boufflers, were, that a general act of grace should be granted to the English who had followed the fortunes of king James, and that they should be restored to the possession of their estates. And that none of the subjects of the French king should be allowed to enter, or to settle in, the city of Orange; because his majesty foresaw that the new converts, still attached to their former errors, would flock from the provinces bordering upon Orange, and, if leave was given them, would settle there. Torcy, vol. 1. p. 25.

Though Burnet does not refer to these articles mentioned by De Torcy; and, on the other hand, though De Torcy does not refer to the queen's jointure, as making any part of the conferences, yet it does not follow that they were not actually mentioned and treated of. The earl of Portland probably communicated to Burnet, and Burnet to the public, what related to the interest of England. Torcy, who had his information from Boufflers, mentioned only what more immediately related to France. While therefore these authors mutually corroborate one another in what relates to James, so their silence or ignorance does not impeach the truth of the other articles mentioned, severally, by each of them.

of

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of the agents of France; but ſtill, that there were circumſtances of difficulty, which retarded the progreſs of that part of the buſineſs; and which required a more minute and private diſcuſſion, than what could be accompliſhed in public conferences, and in the preſence of the ambaſſadors, met to negotiate for peace. Obvious circumſtances, relative to the ſituation of James, as well as the expreſſions and hints contained in theſe memorials, enable us to form ſtrong conjectures, concerning the cauſes of ſeparating the affair of the queen's jointure from the other articles, ſpecified at the general meeting of the ambaſſadors, and publiſhed to the world. Whatever the former imprudence of James may have been, yet his ſituation, at the commencement of the negotiations for peace, was ſo humiliating and diſtreſſful, as to engage the compaſſion of all parties concerned in it. In the ſtrain and expreſſion of his letters and inſtructions to his friends, we ſee a mind agitated and diſtracted by the different emotions of pride, reſentment, and intereſt. Mortified and angry, becauſe his commiſſioners were excluded from all acceſſion to the peace, and that the reſtoration of his dignity was not made a principal and indiſpenſable condition of reconciliation between England and France, he could almoſt have found in his heart to have ſpurned at the offer of the French king's mediation, to promote what were, comparatively, mean and inferior concerns to himſelf and his family. The neceſſity of his circumſtances, or rather a ſtrong attachment to money, and the habit of improving every ſource of emolument, controlled the haſty reſolutions of paſſion, and made him anxious to ſecure the regular payment of the queen's jointure, upon ſuch a plan as might reconcile his honour and intereſt, by ſparing him the mortification of acknowledging the lawfulneſs of the power which conferred it. If the queen was required to grant diſcharges for her jointure, they muſt be drawn up in ſuch a form, as to amount to an acknowledgment of an uſurped government. If truſtees, veſted by the queen with

with the poſſeſſion of her eſtates, ſhould decline or delay to transfer her property, ſhe could not reſort to the courts of law, which implied the ſame abhorred conceſſion. There ſeemed no other expedient, but that the honour of the preſent king of England ſhould be pledged. A matter of ſuch nice and delicate conſequence, evidently, required the moſt private diſcuſſion, and the management of prudent and confidential agents. As theſe conſiderations ſufficiently eſtabliſh the propriety of referring this ſubject to a private and detached negotiation, ſo the previous memorials of James, compared with the letters of Middleton, de Torcy, and Lilliercote, the mediator of the peace, abundantly confirm that it was actually the caſe[15].

[15] The following extracts from the inſtructions and memorials referred to in the text are produced, in ſupport of the obſervations it contains. In the inſtructions to Mr. Dem, the agent of James at the Hague, during the negotiations for peace, 18th July 1697, are the following words: "The affairs of which you "are to treat with monſieur de Croiſſy, or "the other plenipotentiaries of France, are, "1ſt, Her majeſty's appanage; for the doing of which, you are referred to the "paper concerning it, &c. In caſe the "prince of Orange's agents ſhould deny or "queſtion any matters of fact, as they are "ſet down in that paper, which ſo plainly "prove the queen's right, even according to "their own preſent law, you muſt aver, that "both your patent, under the broad ſeal, "and the act of parliament, which ſettle and "confirm that eſtate upon the queen, during "her life, are upon record in the regiſters of "the crown office of the parliament, to which "we appeal; and that the queens of England, independently of the king, have a "right to their eſtates ſo ſettled upon them, "the plenipotentiaries of the prince of "Orange themſelves, cannot be ſo ignorant "or ſo wilful, as to deny." Macpherſon's State Papers, 1697.

The earl of Middleton, James's ſecretary, in a letter to De Torcy, 5th October 1697, expreſſes the embarraſſment that roſe upon the affair of the queen's jointure, either from the diſcharges being drawn up in ſuch a form, "as "ſhe could not ſign them, or, in the alternative of putting perſons in poſſeſſion of "her eſtate, and tenants refuſing to pay, "the impoſſibility of her having recourſe to "courts of law whoſe authority ſhe could not "acknowledge." After which Middleton adds, "So that there is no expedient, but "that the prince of Orange ſhould oblige "himſelf, by a ſecret article, to pay the ſum "mentioned to his moſt Chriſtian majeſty, "and his ſucceſſors, during the life of the "queen. If the prince of Orange acts ſincerely, he will accept this propoſal; if it is "rejected, the affair, in all likelihood, will "be of no conſequence; and yet there is no "doubt but his moſt Chriſtian majeſty is very "careful to put on a ſolid foundation a thing "ſo honourable to himſelf, and neceſſary to "the queen of England." Ibidem.

A memorial and letter, October 7th, ſent by Lewis to his plenipotentiaries at the Hague, refers to the ſame ſubject; and in the letter he mentions the difficulties the queen of England had reaſon to expect, if ſhe ſhould be obliged to receive, in her own name, the revenues ſhe had a right to enjoy, in conſequence of Engliſh acts of parliament. Ibidem.

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The attention paid to this subject appears, from an extract of the Protocole, of the mediation held at Ryswick, 20th September 1697, published by the same author.

Monsieur Lillieroote, ambassador for the mediator, in a letter to monsieur de Harley, one of the French plenipotentiaries, dated 23d November 1697, refers to a private conversation he had with king William about the queen's jointure; and says, that he, king William, is willing to stand faithfully by what he has promised.

It is remarkable, that the Continuation of the Life of James, in the passage immediately following that which Mr. Macpherson has cited, as the evidence of William's consent to the succession of the son of James, mentions the removal of James from France, and the settlement of the queen's jointure, as having been the subject of the secret conferences between Boufflers and Portland; and that it was understood by Portland, that the latter was suspended upon the former. Life of James, 1697.

Sir John Dalrymple says, that he has seen an original letter from lord Portland to king William, after the peace of Ryswick, in which he informs him, that, according to his orders, he offered a pension of 50,000l. per annum to king James. Dalrymple's Appendix, 245, 246. This probably refers to the queen's jointure, as it was more delicate to confer it in her name, and under the form of right.

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*Observations with respect to the political Sentiments and Temper of the People in Scotland after the Revolution.—Session of Parliament.—Adjournment.—Conspiracy against Government.—A Meeting of Parliament.—The Lords of the Articles,—the King's Supremacy,—and the Law of Patronage abolished.—Character of the Presbyterian Clergy.—Their Severity against the Episcopals,—hurtful to the Reputation of the King.—Change of Ministry.—Dangerous State of the Government in Scotland.—Massacre of Glenco.—Session of Parliament.—Its Compliance with the Court.—Discontents in Scotland.—Another Session of Parliament.—Act for extending the Trade of Scotland.—Hard Treatment—and Misfortunes of the Scotch Darien Company.—Misery and Disaffection of the Scots.—State of Ireland.—Articles of Limerick—censured by the Irish Protestants and Whigs.—Considerations tending to vindicate the Propriety and Justice of them.—Abuses committed by his Majesty's Servants in the Government of Ireland.—Peaceable State of Ireland.—No bold Efforts made by the Irish to assert their Independence.—Reasons for this.*

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1689.

Observations with respect to the political sentiments and temper of the people in Scotland after the revolution.

I HAVE, in a preceding chapter, mentioned various causes, which rendered the political state of Scotland more fluctuating and irregular than that of England; and from which it might naturally have been inferred, that the revolution there would not remain so firm and secure as it did in the latter kingdom. While the revolution in England derived support from the common interests and obligations of all the parties which had co-operated in accomplishing it; in Scotland it was chiefly, if not solely, the work of the presbyterians, who were more anxious to establish their own power and religion, than to extend and confirm the liberties of the nation.

 A change

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A change of government, openly withſtood by ſome, and ſecretly condemned by others, was likely to be ſupported with vigour and perſeverance, by the party which effected it, only ſo long and ſo far as its views of a ſeparate intereſt were gratified.

The people in Scotland having been only acceſſories to the revolution, which was planned and completed by the Engliſh, were not bound, by the ſame ties of honour and fidelity, to defend and maintain it. They neither had an equal claim to merit, nor were they expoſed to the ſame degree of cenſure, with the neighbouring kingdom, in whatever light it might be afterwards conſidered, according to the ſucceſs of William, or of James. Many perſons of rank and fortune in England, who had been the firſt movers in the oppoſition to James, were ſo deeply criminal in his ſight, that their perſonal ſafety was involved with that of the new government. Should it fall, they muſt unavoidably be cruſhed under its ruins. There can be no doubt that this conſideration prevailed with individuals of great influence, to concur heartily in ſuch meaſures as were neceſſary to prevent the return of the baniſhed king, though they were often fretted by diſappointment, and offended at the conduct of William. The revolutioniſts in Scotland might plead, in extenuation of their revolt, ſhould James reſume the crown, that they were not the authors, but the followers of a bad example; and that fear and neceſſity had compelled them, contrary to their rooted inclinations, to depart from their allegiance and duty. The applications of the late king to his ſubjects in Scotland, were adapted to this ſtrain of argument. They were reminded of his ancient, hereditary claim to the loyalty and affection of the Scottiſh nation. Great pains were taken to awaken the reſentment of individuals, on account of the ill returns they had met with, for their raſh ſervices to the prince of Orange; and to ſooth them into repentance, by the hope of pardon and reward.

 There

There were many Scotchmen, who had contracted a warm affection to the prince for his virtues, and the protection which he had vouchsafed to them, when they were driven into exile by the persecution of government. His confidence in them, and the preference with which he distinguished them, in the distribution of offices, tended to weaken the attachment of some great men, who claimed the merit of raising him to the throne, by their influence and votes in the convention; and rendered them easily susceptible of that disaffection, which was artfully infused into their minds by the adherents of James [1]. In this number were the descendants of noble and wealthy proprietors, whose estates had been forfeited in times of violence, and transferred, by the gift of the crown, to the representatives of other distinguished families, who had supported its interest. In some instances, such degradation of fortune and honour might be imputed to the imprudence, or the crimes, of the sufferers themselves; and, in others, it had proceeded from the resentment of the prince against individuals, who had bravely and honourably resisted his usurpations. The restoration of these estates was expected by the descendants of the ancient proprietors, and dreaded by the present possessors. To determine, in what cases, these forfeitures were legal or not, and where the line of distinction ought to be drawn, so as neither, upon the one hand, to ratify oppression, nor, upon the other, to establish a precedent for slighting the authority of law, were matters of delicate discussion; and required the most cautious deliberation in the new government. But this very deliberation, however necessary and prudent, was held forth as a ground of offence; and evidently discouraged the ardour and perseverance of the king's first friends [2].

[1] Those, who had appeared at an early period for William, who had been chiefly instrumental in raising the rabble at Edinburgh, and who had shewn their zeal for him in the convention, thought they had better pretensions than those who came over with him; the latter having only acted from necessity; being for the most part forfeited persons. Balcarras' Account of the Affairs of Scotland.

[2] Ibid.

Some

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Some of the conditions, upon which William had received the crown of Scotland, were attended with difficulties which he did not foresee; and the commendable anxiety which he discovered, as well as the prudent measures, which he pursued to overcome them, were displeasing to many who had attached themselves to his interest[3]. The great service the English bishops had performed, by preparing the nation for his interference, raised expectations, impossible for him to gratify, without departing from those principles of toleration, which did honour both to his understanding and his heart. They considered him as bound by gratitude to protect the church of England, not only by excluding the Roman catholics, but by depressing the protestant dissenters. His engagements to abolish prelacy in Scotland overturned these expectations, and were considered as irreconcilable to the very end of his expedition to England. From a strain of reasoning the most illiberal, though specious, it was inferred, that no faith could be placed in the man, who had entered into contrary obligations, of supporting certain forms of religion in one part of the island, and of abolishing them in another. Aware of these censures, William expressed great solicitude for establishing uniformity of religious worship and government, in both kingdoms[4]. Independently of respect for the prejudices of so powerful a body as the English hierarchy, he perceived unsurmountable objections to the demands of the Scotch presbyterians. With the establishment of their religion they had connected the idea of such extensive and independent jurisdiction, as encroached deeply upon the prerogatives of the monarchy. Their clergy, narrow and intolerant, were contriving the severest measures against their brethren of the episcopal order; and were impatient to execute them under the sanction of lawful authority. Firm and true to his principles, William was content to forego their good opinion and confidence, rather than to approach to the borders of persecution. At the same time

[3] Macpherson's State Papers, 1690. [4] Neil's Hist. of the Puritans, vol. ii. p. 806.

it

it may be obſerved, that the clauſe contained in the claim of rights, relative to religion, and accepted by the king as the condition of his reigning in Scotland, was ſo ambiguouſly expreſſed, as to vindicate him from any charge of inconſiſtency or duplicity; becauſe he deliberated about yielding to thoſe demands which the preſbyterians grounded upon it. Admitting that prelacy, as formerly eſtabliſhed, had been a grievance, did it follow that the ſupremacy of the prince was to be abrogated, or its influence excluded, in any future modification of eccleſiaſtical government? Did it oblige him to deprive all the epiſcopal clergy, without exception, of the emoluments, which they had enjoyed under a legal eſtabliſhment? The backwardneſs of William in complying with the wiſhes of the preſbyterians, from whatever motives it proceeded, occaſioned a coldneſs in their affections towards him; and ſuggeſted, to the abdicated king, the policy of throwing out baits, for alluring the aid of thoſe very men, who had been chiefly inſtrumental in degrading him. Correſponding with theſe obſervations are the political events, which immediately followed the new ſettlement of the government in Scotland; nor was the authority of William more endangered by the open revolt of Dundee, and his adherents, than it was by the emulation, the treachery, and the mutinous ſpirit, of ſome of thoſe, who were numbered among his friends.

Seſſion of parliament.

The duke of Hamilton, though preferred to the high office of being the king's commiſſioner, was ſtill diſſatisfied, becauſe a greater ſhare of ſubordinate places was not diſpoſed of among his partiſans, and according to his recommendation. Some, who had taken the moſt active part in the firſt ſteps of the revolution, became peeviſh and intractable; while others harboured machinations for overturning it. The ſuperior confidence, which William placed in Dalrymple of Stair, proved offenſive to many of the whigs; and was ſuppoſed to betray him into unpopular notions of government[5]. Hence, in

[5] Ralph, vol. ii. p. 105.

the

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the first session of the Scottish parliament after the revolution, the friends of the court were over-ruled; and a series of measures pursued vexatious and alarming to the king. Together with a list of grievances, which he was willing and prepared to redress, the parliament petitioned for the abolition of forms, and the repeal of statutes, which had been considered as the strongest fences of the monarchy.

The influence of the court, in the decision of all political questions, had advanced to such an enormous pitch, through the channel of the lords of the articles, as was incompatible with the ancient independence of the parliament. The king would cheerfully have agreed to an abridgment of the power of this committee, so far as to remove every complaint of its restraining the members at large, either with respect to the choice of business, or the freedom of debate; but, as the abolition of it had not been inserted in the enumeration of grievances, he hesitated about parting, altogether, with such a powerful instrument of authority[6].

To

[6] "The lords of the articles were a committee of each estate chosen by themselves, "to prepare matters, and to determine upon "the articles proposed by the king; but the "estates were at liberty to recede from those "proposals and their determination upon "them, as they themselves thought fit; which "fully proves that the estates had a negative "upon the king. Thus, in the preface to "the acts of James the First, it is said, Electæ "fuerunt certæ personæ ad articulos datos per "dominum regem determinandos, *data cæteris* "*licentia recedendi*. Members of parliament "had power to propose what was thought meet "and necessary for the commonwealth. Acts "James I., chap. cxii. in the old acts; cii. in "the new.

"The lords of the articles were never mentioned, till the time of David Bruce; nor "was there ever any statute-law enjoining "them, or to determine their power and manner of procedure. There were likewise several parliaments, after the time of David "Bruce, which had none of these lords of the "articles; and, when they were in use, they "were chosen by the advice and consent of the "whole parliament, till the year 1617, when "the bishops took upon them to remove out of "plain parliament to the inner house, and "chose some of the noblemen, and the noblemen them; and they two chose the commissioners of the articles of shires and boroughs, "as may be seen in the representation of the "kingdom of Scotland by the estates *anno* "1640, p. 21. From all which it would seem, "that the articles delivered by the kings were "instead of the speeches now in use by themselves, their commissioners or chancellors, "which proposed what was thought fit to be "done on the part of the crown, but did not "hinder the parliament from proposing what "they thought fit for the benefit of the country." Historical Account of the ancient Rights and Power of the Parliament of Scotland, printed 1703, p. 27. For a particular account of the variations which afterwards happened in this committee, and the enlargement of its influence, to a degree inconsistent with the freedom

To his majesty's consent to the condemnation of prelacy, the presbyterians thought themselves warranted to annex the claim of a jurisdiction separated from, and independent on, the civil government. A vote passed for abrogating the act, one thousand six hundred and sixty-nine, asserting his majesty's supremacy in causes ecclesiastical, as dangerous to the protestant religion, and inconsistent with the establishment of church government. A dispute, more immediately affecting the internal order and peace of the kingdom, made a breach between the court and the parliament [7]. William, after his acceptance of the crown, had given commissions for filling up the vacancies among the lords of the session, by virtue of his prerogative, and upon the supposition that a quorum of their number still existed [8]. The convention however insisted, that the court of session was annihilated, and that the new judges ought to be tried, and admitted or rejected, by them; and they even announced threats against the judges, who had accepted the king's commissions, if they should proceed to the discharge of their functions. As these demands exceeded the instructions, which the commissioner had received from the king, he adjourned this session to the eighth of October [9].

Adjournment.

The discontinuance of parliament exasperated the minds of every order of men. A remonstrance, subscribed by a majority of the convention, was presented to the king, containing a repetition of the

dom and privileges of parliament. See Robertson's History, vol. i. p. 69.

[7] Ralph, vol. ii. p. 103.

[8] The convention admitted, that the nomination of the judges, in the case of any particular vacancy, belonged to the crown; but contended, that, upon the event of a total vacancy, or the dissolution of the court, the renewal of it belonged entirely to the States, agreeably to its original institution, and to former precedents, in the year 1641 and 1660.

That there was now a total vacancy or dissolution of the court of session, the convention supported, principally, by this argument; that, as the crown had been found vacant, all commissions flowing from it, by fair deduction, were nullified.

It was evident, that this argument, if followed out, would have deprived the king of his most valuable prerogatives. The new and extraordinary circumstances, which happened at the revolution, might well justify a deviation from rules, properly and easily observed in times of peace and order. The king's right to name the judges in England was not questioned; and the discretion, with which he had exercised it, gained him merited applause. Not only his honour, but his future interest and safety, depended upon his making a like choice in Scotland.

[9] Ralph, vol. ii. p. 105.

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grievances, which had been brought forward by the parliament, and complaining of the evil counsellors who directed his measures [10]. The king's withholding his assent to their petition was represented as a breach of the contract, between him and the States, which founded his right to the crown of Scotland.

Conspiracy against government.

A correspondence was opened between the late king and some of those persons, who had complained of the oppression of his government, and promoted the revolution with the greatest zeal [11]. The conditions of his restoration were specified, and the measures, by which it was to be effected, were concerted and agreed upon. He engaged, to establish the presbyterian form of government, to pardon past offences, and even promised to confer honours upon individuals who had taken part against him. A coalition of parties was to be formed in defiance of the laws of honour and religion. That the apostates from the present government, and the friends of James, might co-operate, the latter were to depart from their religious scruples, by taking the oaths to king William, and endeavouring to secure seats in parliament [12]. After being made acquainted with the conditions of this conspiracy, we are the less surprised, when we find that it was promoted by sir James Montgomery, formerly distinguished by his zeal for the revolution. He was disappointed of the office of secretary of state, and offended at the king for his reluctance to establish presbytery, which was the idol of his own heart [13].

A meeting of parliament.

The great discontent of the people of Scotland, and the necessity of obtaining a supply for the army, constrained the king, notwithstanding these ominous circumstances, to allow the parliament, after several adjournments, to meet for the dispatch of business.

15th April.

Every thing at the opening of this session appeared unfavourable to the court. The duke of Hamilton declined the honour of representing

[10] Ralph, vol. ii. p. 105.
[11] Memorial concerning Scotland, 18th April 1690. Macpherson's State Papers.
[12] Ibid. [13] Burnet, 1689.

his

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1690.

his majesty's person. Many of the nobility and gentry, suspected of disaffection, took their seats in parliament. It was evident, that the utmost latitude of concession was necessary to ensure the peace and stability of the government. The lords of the articles were abolished. A compliance with the desire of the nation, more distressful to the king, was extorted: presbytery was established in all the plenitude of its claims: the king's supremacy was given up; and the law of patronage was repealed [14]. The last of these concessions gained the people entirely to the side of government, and the majority of parliament voted in conformity to the wishes of the court. This sudden change in the temper of the nation, and the defeat and death of Dundee, established the revolution in Scotland, and gave the utmost alarm to all who had entered into conspiracies against it. Many persons, who had fallen under suspicion, sought to make their peace by frankness in discovering their plans and accomplices.

The lords of the articles, the king's supremacy, the law of patronage abolished.

But, notwithstanding these immediate consequences of lord Melvill's concessions, they were productive, in a short time, of other effects, which gave great uneasiness to William, and disturbed the tranquillity of his government in both kingdoms. The general temper of the presbyterians, as well as the education and character of their clergy, arising from the peculiar circumstances of the times, rendered them incapable of using, with discretion and generosity, the superiority in which they were now placed. The extreme severities, they had suffered under the dominion of the hierarchy, were fresh upon their minds, and too much disposed them to retaliation; not only from the mean gratification of resentment, but from a persuasion, that their own pre-eminence and safety were precarious, while any measure of indulgence was exercised towards their antagonists. The generality of their clergy were not possessed of sentiments more refined and enlarged than those of their

Character of the presbyterian clergy.

[14] See Appendix I. at the end of this Chapter.

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people. Excluded, after the reſtoration, from enjoying the legal proviſion of the church, they ſubſiſted entirely by the voluntary contributions of their congregations. Their tempers were ſoured by dependence, and exaſperated by perſecution. Their acquaintance with human nature was contracted; their ſentiments and demeanour were accommodated to the taſte and prejudices of the lower ranks, with whom they were chiefly converſant. Their ingenuity and their ſtudies were principally directed to the defence of thoſe tenets, which diſtinguiſhed their ſect. Hence controverſies were too much ſubſtituted in the room of the ſimple and inſtructive doctrines of the goſpel. The divine authority of preſbytery, the hereſies of epiſcopacy deſcribed as little removed from the ſuperſtition and idolatry of Rome, were the common topics of their public diſcourſes, upon which themſelves and their hearers were often wrought up to a ſpirit of violence, hardly conſiſtent with reſpect to the civil government [15]. By the early regulations of the preſbyterian church in Scotland, a certain proficiency in literature and knowledge was required as an indiſpenſible qualification for the miniſterial office [16]. Unfortunately, however, the many vacancies, occaſioned by the ſudden expulſion of the epiſcopal clergy, required a periodical relaxation of that ſtrict attention to literary acquiſitions, which are, at all times, eſſential to the dignity of the clerical character, and the credit of religion. Of the old preſbyterian miniſters, who had been deprived of their livings at the reſtoration, threeſcore only remained to reſume their charges; and ſome of them were diſabled, by the infirmities of age, from attending the church judicatories at

[15] It is aſſerted, that ſeveral of the Cameronians, or Cargillites, entered into the church after the revolution. Their diſtinguiſhed tenet was, that Charles the ſecond had forfeited his right to the crown by his renunciation of the covenant; and their arguments upon this ſubject were ſo far ſtretched as to imply, that ſwearing, or taking the covenant, was neceſſary to confer a right to the crown. Some of the Cameronian leaders and preachers had early maintained a correſpondence with William, and were now diſpoſed to officiate in the eſtabliſhment under his auſpices. Their ſufferings entitled them to reſpect and gratitude.

[16] Book of Common Order, article iii. Firſt Book of Diſcipline, chap. iv.



a period,

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a period, which required all the wifdom and coolnefs of experience and of years. Young men, diftinguifhed by zeal more than by abilities and knowledge, preffed forward into the paftoral office; and not only over-ruled the opinions of their prudent and moderate brethren, but became the tools of faction, and kept the minds of their people in a continual ftate of jealoufy and ferment [17].

Their feverity againft the adherents to epifcopacy.

To retain entire and unretracted the privileges which they had obtained, and to fhut the door for ever againft the adherents to epifcopacy, was the principal object, to which presbyterians, vefted either with temporal or ecclefiaftical authority, directed their attention immediately after the revolution. The moft rigorous meafures were purfued by the privy council againft the epifcopal clergy, who ftill continued to officiate in their charges. The people were encouraged by their minifters to inform againft thofe, who had difobeyed the orders of the convention by neglecting to read the proclamation, which declared the prince and princefs of Orange king and queen; or by omitting to pray for them in the performance of public worfhip; or neglecting to obferve the public fafts. Upon thefe informations, and charges of a more frivolous nature, many were deprived of their livings, and debarred from any future opportunity of conforming to the new eftablifhment [18].

Hurtful to the reputation of the king.

Though the violence of thefe meafures was repugnant to the principles and difpofitions of William, yet it was all laid to his account, and, by conveying an unfavourable impreffion of his government in Scotland, contributed to thwart his liberal defigns towards the diffenters, which were at that time agitated in the Englifh parliament [19]. How hard his fituation! every favour to prefbyterians in Scotland, and to diffenters in England, awakened

[17] Ralph, vol ii. Salmon's Modern Hiftory, vol. xxiv. 1691 2. Burnet, 1689.

[18] The Cafe of the afflicted Clergy. Ralph, vol. ii. p. 274, &c. Letter from a Clergyman. Salmon, vol. xxiv. p. 87.

[19] Burnet, 1689-90. Querela temporum, Somers' Col. vol. viii. There were even fome, who profeffed to be ferioufly alarmed left the prefbyterians, bent upon the extirpation of epifcopacy, fhould again intrude into England to reform it. Cunningham's Hiftory, vol. i. p. 106.

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1690-1.

the jealoufy of the Englifh church; and every indulgence to the adherents to epifcopacy in Scotland, that of the prefbyterians there; fo that he loft the affections of both eftablifhments. Attending to thefe facts, we are deeply impreffed with a fenfe of the inherent and unchangeable malignancy of bigotry, wherever it is found, and whatever the caufe may be to which it is attached. It levels all diftinction of principles and characters; it is equally pernicious and deteftable in the philofopher and in the prieft, in the proteftant and in the papift, in the epifcopalian and in the prefbyterian. It is the moft peftilential of all herefies, becaufe it deftroys that charity, which is the glorious characteriftic of a chriftian. When impelled by the ardent fpirit of reformation, let us beware of bigotry, the bane and difgrace of every virtue with which it is affociated.

Change of miniftry.

The king endeavoured, by a change of his minifters, to procure a more lenient treatment of the epifcopal clergy. Lord Melvill, who had offended him by ftretching his power to gratify the prefbyterian party, was removed from being fecretary of ftate [20]. The earl of Tweedale was made chancellor; the earl of Lothian commiffioner to the general affembly. To this fupreme judicatory of the prefbyterian church, the king recommended fuch a temper and fuch refolutions, as might tend to unite the affections of his fubjects; and, particularly for that purpofe, to admit into parochial charges fuch of the epifcopal clergy as were willing to comply with its government [21]. The imprudence of the epifcopalians themfelves, not lefs than the narrow fpirit of the prefbyterians, fruftrated every fcheme for peace and accommodation, and difappointed the fondeft withes

[20] Doctor M'Cormick fays, "That, by an "authentic paper in the earl of Leven's "poffeffion, it appears, that lord Melvill "was inftructed to pafs an act, abolifhing "patronages, provided the parliament de-"fired it." Life of Carftares, p. 51. As Doctor M'Cormick acknowledges that this paper is of a date prior to the remarks fent down by William upon the act for fettling church government in Scotland, in which (article vi. ibid. p. 45.) he defires, that the right of patronage may be maintained, it is obvious, that lord Melvill went beyond the king's defire, or exceeded his power, as is obferved by Burnet, 1690.

[21] Burnet, 1692.

of the prince. Elated by his interpofition, the former boafted of his fecret favour, and of their approaching pre-eminence, while the latter, jealous of any motion or defire of kindnefs towards their antagonifts, became more eager in the purfuit of meafures calculated to confirm their depreffion, and to widen their feparation from the eftablifhment. The change, which the king had made in the miniftry, now appeared to be an error in policy. The prefbyterians might, perhaps, have been foftened into compliance and lenity by the addrefs of their own leaders, but, alarmed, upon any fhare of power being withdrawn from them, they were immoveable, either by the promifes or threats of minifters, of whom they were fufpicious. They contended, that the inherent prerogatives of their conftitution, ratified by the laft feffion of parliament, could not be reftrained by the civil authority. When the commiffioner, agreeably to his inftructions, diffolved the general affembly in his *majefty's name*, they adjourned themfelves in *the name of Chrift, as the king and head of the church*[22].

Dangerous ftate of the government in Scotland.

The intereft of William, at the period to which thefe obfervations refer, was in the moft critical fituation, and unfortunately led him to yield too implicitly to the advice of his Scottifh minifters, and to adopt meafures, which terminated in effects equally criminal and impolitic. The French king was engaged in the moft diligent preparations for invading England, and reftoring James to the poffeffion of the crown. The headftrong, peevifh difpofition of the party intrufted with the management of affairs in Scotland, ever ready to withdraw their allegiance from William upon the flighteft offence, not lefs than the number of thofe, who waited an opportunity to make an infurrection, were ftrongly urged with Lewis for fending a detach-

[22] It has been obferved in a former note, that this independent jurifdiction, derived from the authority of Chrift, was the favourite tenet of the prefbyterians, and what they had obftinately contended for in the reign of James the firft. The form of this independance is ftill retained, and, after his majefty's commiffioner diffolves the affembly in his name, the moderator, or prefident, diffolves it in the *name of the Lord Jefus Chrift, as the only king, and head of the church.*

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ment of his fleet to the northern coaſts, while James landed in England with a larger body of the French troops[23]. Whatever might be the ſucceſs of that expedition, yet the diſtance and natural fortifications of the mountainous parts of Scotland, as well as the bravery and diſaffection of the inhabitants, opened to James almoſt the certain proſpect, of recovering a part of his ancient dominions, and of laying the foundation of more extenſive ſucceſs. To prevent this danger, William cheerfully liſtened to a plan for conciliating the Highland clans to his government, by the diſtribution of money among their chiefs. This having failed of ſucceſs, it was next propoſed to work upon their fears, by holding out an example of terror, which was alſo authoriſed by the king, and carried into execution, with ſuch treacherous and atrocious circumſtances, as filled Scotland with horror, and gave a deep wound to his reputation, both at home and abroad.

August 1691.

A proclamation was ſet forth, offering a free pardon to ſuch of the highlanders as had oppoſed his government, provided they came in and took the oaths, before the firſt of January one thouſand ſix hundred and ninety-two; but containing a poſitive threatening of military execution againſt thoſe who did not comply. The proclamation anſwered the deſired effect; all the Highland chieftains made their ſubmiſſion to government within the day preſcribed, except Macdonald of Glenco, who, by a train of fatal accidents, and, only by the moſt ſevere conſtruction, became chargeable with the guilt, and liable to the penalties, of a recuſant[24]. Though his delin-

Maſſacre at Glenco,

[23] Ralph, vol. ii. p. 427.

[24] Macdonald of Glenco, upon the 31ſt of December, which was the laſt day of mercy, according to the tenor of the king's proclamation, applied to the governor of fort William to adminiſter the oaths to him; but the governor declined doing it, and ſaid it was the buſineſs of the civil magiſtrate. Glenco haſtened to Inverary with as much expedition as the ſeverity of the ſeaſon would admit The day of mercy had expired. A farther delay was occaſioned by the abſence of ſir Colin Campbell, the ſheriff, who, not without ſcruple and heſitation, yielded to the moſt pathetic and importunate ſolicitations of Glenco, and adminiſtered the oath of allegiance to him, upon the 6th of January 1592. A certificate of his having done this, with an account of the circumſtances which had occaſioned the delay, was tranſmitted to Campbell the ſheriff-clerk of Argyleſhire, then reſiding at Edinburgh, in order to be laid before the privy council there.

quency,

quency, if deferving of that name, was attended with every circumftance of extenuation, yet it was refented with feverity which exceeded the threats of the proclamation. A party of Argyle's regiment was fent from Fort William into the valley of Glenco. The fearful apprehenfions, excited by the news of their approach, were removed by the moft folemn affurances from the officers, that they came upon terms of peace; and to confirm thefe, they produced written orders, fubfcribed by their commander, colonel Hill, to quarter in the valley. A more bafe, ungrateful fpecies of treachery lulled the fufpicion, and fixed the fatal doom, of the men of Glenco. The officers accepted the proffered hofpitality of their chief, daily frequented his table, and, with a gay and undefigning countenance, participated in the converfation and amufements of his family. Upon the thirteenth of February one thoufand fix hundred and ninety-two, the very day the officers had been invited to dine with Glenco, lieutenant Lindfay entered his houfe, in the morning before the dawn of light, fired upon him, and killed him as he was rifing out of his bed[25]. Above thirty men were put to the fword, and in that number fome who were under, and fome who were above, the age prefcribed by the warrant. Bloody as this tragedy was, yet it fell fhort of the barbarous intentions both of thofe who ordered, and of thofe who conducted it. On the day preceding the flaughter, colonel Hamilton was difpatched, with a party of foldiers from Inverlochy, on purpofe to block up the paffages from the valley, that none might efcape by flight[26]. The feverity of the weather retarded his march, and fortunately faved fome hundreds deftined to deftruction. A fcene of plunder followed the maffacre; all the cattle were carried away to the quarters of the troops, and, as if it had been intended to devote the valley to perpetual defolation, the houfes and villages were burnt by the foldiers[27].

[25] State Papers, T. W. vol. iii. p. 604. [26] Major Duncan's Letter, ibid.
[27] See Appendix II. at the end of this Chapter.

A. P.
1693.

The general odium againſt government, too juſtly excited by this maſſacre, added to the experience of the ill humour of the States, made the king deſirous to poſtpone, as long as poſſible, the meeting of another ſeſſion. The urgent occaſion for ſupplies, and for augmenting the army, conſtrained him at length to have recourſe to a meeting of parliament; when an event occurred, which encouraged him to expect a more ready compliance with his meaſures. By the victory at La Hogue, the malecontents in Scotland were over-awed, while ſuch of them as were conſcious of guilt were at the mercy of the court from the diſcoveries, which had been made by ſome of the perſons, who were convicted of conſpiring againſt the government. The proſpect of commiſſions to their friends in the new levies, and the promiſe of profitable commercial advantages, were held forth, to engage the intereſt of perſons of family on the ſide of the court. To gain popular favour, the preſbyterians were again diſtinguiſhed by his majeſty's attention, and their friends were put into the principal offices of the ſtate.

Seſſion of parliament.

The duke of Hamilton repreſented his majeſty in the third ſeſſion of the convention parliament, which met on the eighteenth of April one thouſand ſix hundred and ninety-three. The king, in his letter to parliament, expreſſed a ſtrong deſire to have opened this ſeſſion in perſon, but that he was diſappointed by the continuance of the war, which required his preſence on the continent. The commiſſioner and the chancellor, in their ſeveral ſpeeches, directed the attention of the members to the great lines of buſineſs which his majeſty wiſhed them to purſue, and particularly the importance of putting the nation in a proper ſtate of defence by additional forces, and by raiſing the ſupplies neceſſary for that end[23].

Its compliance with the court.

The wiſhes of the court ſeemed to have been fully gratified by the compliance of this ſeſſion. Four regiments of foot, and two of dragoons, were added to the ſtanding army, and a ſupply of one

[23] Ralph, vol. ii. p. 426.

hundred

hundred and fourteen thousand pounds voted for maintaining them. An act also passed approving of, and ratifying the measures, of the privy council, which had exceeded its lawful power by levying men for the navy during the recess of parliament. For securing the government, such members, as had not taken the oath of fidelity, were expelled the house, and the trials of those persons, who had been apprehended upon suspicion of conspiracy, were ordered. An act also was passed, making it treason to go to France, or to hold correspondence with any person residing there. The resolutions of this session with respect to the episcopal clergy, if they did not fully correspond with the liberality of the king, seemed to have been formed upon the dictates of justice, and calculated to redress those, who had been deprived of their livings by the violence of mobs, or by the precipitate resolutions of the privy council. Such of them as took the oaths, subscribed the confession of faith, and acknowledged presbytery to be the only ecclesiastical government, were to be admitted into the church; and if the general assembly should refuse to agree to this, they were assured of being protected by the king, and continued in their livings [29].

Discontents in Scotland.

Neither the measures nor example of this session of parliament produced any permanent effect in allaying the discontents of the people in Scotland, or fixing their attachment to government. Few of the expelled clergy complied with the conditions required for being admitted into the established church. While the refusal of the rest gave a sanction to the rigorous proceedings of the ecclesiastical courts, it exposed the king the more to popular jealousy and censure, for the protection and indulgence, which he still vouchsafed to those who had forfeited all legal claim to his protection. Instead of admiring his liberality, the generality of the clergy and the people were angry and astonished, because he neglected so fair an opportunity of distressing persons who were known to be disaffected

[29] Burnet, 1693.

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to his government. His conduct in this instance was laudable; but it was justly censurable in other views, and contributed to foment that ill humour which prevailed through the greatest part of this reign. It was with reluctance that he gave his attention to the peculiar business of Scotland; his answer to petitions and applications of importance was unaccountably delayed; the great services of this session were not acknowledged with that forwardness and alacrity, which were expected by those who had contributed to them. Their expectations were disappointed, and their generosity abused, while the levies, made for the declared purpose of augmenting the Scottish army, were sent to recruit the regiments in Ireland and Germany. These topics were but too successfully employed to cherish the growing disaffection of the people. The effects of a seditious spirit appeared in the corporations in every part of the country, and it was only by the illegal exertions of the privy council, that a majority in favour of government could be maintained in the town council of Edinburgh [39].

In this situation of the kingdom, parliament was prorogued from time to time, till the expiration of the funds, and the death of the queen, rendered it dangerous to carry on public business without the acknowledgment and interposition of the States.

1695.

Another session of the Scottish parliament commenced upon the ninth of May one thousand six hundred and ninety-five. The marquis of Tweedale was appointed his majesty's commissioner, and strongly recommended by him, on account of his capacity, zeal, experience, and fidelity. As the most successful expedient for securing the compliance of members, the chancellor signified his majesty's inclination to approve of any reasonable plan for extending the trade of Scotland, and establishing a plantation in any part of the world where it might be lawfully acquired.

[39] Ralph, vol. ii. p. 579.

The

1695.

The frequent intercourſe, between the inhabitants of England and Scotland after the union of the two crowns, exhibited to the latter the moſt ſtriking evidence of the influence of trade in promoting national proſperity. But this diſcovery tended to excite envy and deſpair, rather than to encourage hope and induſtry, while want of capital, and limited channels of commerce, precluded them from the means of approaching to the independence and wealth of their fellow-ſubjects. A ſhare in colonial poſſeſſions, under the protection of government, was an object, to which every enterpriſing Scotchman looked forward with fond deſire, but with little hope of ſucceſs. A concurrence of incidents ſeemed at length to enſure the certainty of projects, which had been conſidered hitherto as ſpeculative and doubtful.

11th Nov. 1693.

The renewal of the charter to the Eaſt India company was a grievous diſappointment to many of the Engliſh merchants, who had anticipated the moſt advantageous commerce, upon the idea of their being allowed a free trade to India, or of obtaining a charter for the erecting a new company. To them it was ſuggeſted, that their projects might ſtill be realiſed, and their higheſt expectations gratified, through the circuitous channel of the neighbouring kingdom. It was at the ſame time repreſented to the king's miniſters in Scotland, as well as to many perſons of influence there, that, if a charter could be obtained for the protection and encouragement of a Scotch trading company, the ſkill and capital of many Engliſh merchants would readily be proffered, to aſſiſt their infant efforts, and to raiſe them to a ſtate of opulence, equal to that of their envied neighbours. The plan was laid before the king by Johnſtone, ſecretary of ſtate for Scotland, and was urged as an infallible meaſure for conciliating the loyalty and affections of the nation. Happy to provide a new fund of favours, in a part of his dominions where the demands made upon him were ſo many and importunate, and the means to gratify them ſo extremely limited, he

Attempts to extend the trade of Scotland.

now

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now authorised his commissioner to make proposals for extending their commerce. A committee of trade was accordingly appointed by parliament, which prepared an act to constitute a company, with certain privileges, for trading to Africa and the Indies[31].

The immediate effects of this act, though afterwards fatal to Scotland, were fully answerable to the expectations of the court. The sum of one million four hundred and forty thousand pounds Scotch, was voted for the maintenance of the land forces, and providing cruisers and convoys for the defence of the coasts. What was no less agreeable to his majesty, an act was obtained for allowing such of the episcopal clergy as took the oaths to the king, to continue in their parishes without being subjected to the presbyteries[32].

120,000 l. English.

Hard treatment 1698.

No sooner had the Scots, in prosecution of the late act, adopted the plan of making a settlement in the Isthmus of Darien, than the king became sensible of the impropriety of the indulgence he had granted them. The Spaniards were alarmed at a settlement adjacent to their colonies, and their ambassador presented a memorial, to the court of England, remonstrating against it. The French king, extending his views to the reversionary advantages of

[31] By this act, certain persons named, and such as should join them before the 1st of August 1696, were constituted a body corporate, by the name of The Company of Scotland trading to Africa and the Indies, provided that one half of the fund, or capital stock, should be advanced by Scotchmen, &c. &c. Together with the rights and privileges usually given by law to other mercantile or manufacturing companies, they were empowered to plant colonies, hold cities, &c. in Asia, Africa, or America, in the places not inhabited, or in any place, by consent of the natives, and not already possessed by an European sovereign. All the powers and prerogatives, necessary for internal government and defence, were granted them. They were also exempted from all impositions or taxes for the space of twenty-one years.

[32] In consequence of this act, which was a confirmation of what had been promised by the last session, about seventy of the episcopal clergy, who took the oaths, continued to exercise their ministerial functions, and to enjoy the legal benefices. In parishes where they had gained the affections of their people, the continuance of their pastors would, we may believe, be highly acceptable; but, as the generality of the people were zealous for presbytery, the old episcopal incumbents were often looked upon with an evil eye, and considered as a burden upon the establishment.

the

the Spanish succession to his family, offered a fleet to drive the Scots out of their settlement. The English were jealous of it, lest the prospect of wealth should drain their plantations in North America and the West Indies. What was believed to go still nearer to the heart of William, it was represented to be injurious to the interest of the States[33]. The English parliament had early testified a disapprobation of the indulgence vouchsafed to the Scots, and, though a tory ministry prevented that perseverance in opposition to it, which was expected from their first resolutions, yet it was known to be highly offensive to their constituents. Every measure was now pursued by the court, to frustrate the projects and success of the Darien adventurers. The minister at Hamburg presented a memorial to the senate to prevent the pecuniary assistance, which the company derived from the subscriptions of the merchants there[34]. Orders were transmitted to the governors of the English colonies in America and the West Indies, forbidding all commerce with them, and proclamations were issued to that purpose.

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Jan. 16,6.

The effects of these ungracious measures of the court were what might naturally have been expected. Three successive colonies, sent from Scotland, perished under the complicated calamities of disease, famine, and the sword[35]. Some of them, who were taken by the Spaniards, dragged out a miserable existence in prisons, subjected to all the insults and cruelties, which are usually inflicted on pirates and robbers; and thus the lofty expectations of the Scots were laid in the dust. The loss of two hundred thousand pounds, subscribed by a nation so low in fortune, occasioned almost an universal bankruptcy.

and misfortunes of the Scotch Darien company.

[33] It was said, that the Dutch from Curozao carried on a lucrative coasting trade among the Spanish plantations, which they were afraid the Scotch colony would draw entirely to themselves.

[34] Life of William, vol. iii. State Tracts, &c.

[35] The first colony, consisting of about twelve hundred men, departed from Leith on the 26th of July 1698. Soon after, a second and a third, consisting nearly of the same numbers, followed. The first and second colonies wasted away with famine and disease. The third fell into faction and disputes among themselves, were attacked by the Spaniards, and surrendered to them.

There

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There were few families which did not feel in a more tender point, and lament the loſs of relations, who, inſtead of returning to their country loaded with wealth, had, through tyranny and treachery, been expoſed to a premature death, attended with uncommon circumſtances of horror.

Miſery and diſaffection of the Scots.

From this period to the death of William, the hiſtory of Scotland preſents one uniform face of wretchedneſs, diſcontent, and tumult. The depreſſion, occaſioned by natural calamities, unavoidably leads the mind to view in dark colours, and to feel, more intenſely, thoſe evils, which are brought on by imprudence, or by the malevolent agency of others. A ſucceſſive run of bad ſeaſons and ſcanty crops, at a time, when want of credit and difficulty of importation excluded any relief by a foreign ſupply of corn, completed the miſeries, and inflamed the indignation and complaints, of the Scots. Many families of the lower claſs periſhed by famine ; and thouſands were daily emigrating from their native land. Diſcontent and clamour pervaded the whole body of the people. Their minds were exaſperated againſt a ſovereign, who, like a ſtep-father, inveſted with the authority, without feeling the affection, of a parent, was partial and oppreſſive to them, whenever their intereſts came into competition with thoſe of England or the States. Their hearts were alienated from the ſiſter kingdom: the jealouſy, rancour, and antipathy, which had agitated both nations in a ſtate of hoſtility, began to revive, in all their vehemence. The contempt, the humiliation, the miſeries, with which they were now overwhelmed, were traced up to that inauſpicious event, which had united them under the dominion of one ſovereign. While the minds of the people in general were prepared for a ſeparation, the friends of James, who never had deſerted him, were mortified, by the coldneſs with which their addreſſes were now entertained, not only by their ancient ſovereign, but by the court of France, ever open to the ſupplications of the Scots, and ready to vouchſafe them protection, before their fatal

 junction

1698.

junction with England[36]. Nor were their disasters, from a foreign cause, soothed and alleviated by internal harmony, and that brotherly affection, which is naturally strengthened by a community of sufferings. The pride, the rivalry, the hatreds, of their chieftains, were ever and anon productive of discords, which embroiled the subordinate classes of their dependants. The bigotry of the presbyterians, armed with legal authority, omitted no opportunity to vex and to harass those, who did not conform to their worship and government. Incendiary papers daily issued from the press; associations were formed; riots and mobs in the metropolis, and under the very eye of the chief magistrate, exhibited the fury of the people, and the relaxation and impotence of government. Ministers and judges reciprocally upbraided and accused one another of imprudence, timidity, and treachery. Various attempts were made to appease the discontents of the people, and to restore the dignity and authority of government. Great industry was used to gain persons of interest and family: pensions were bestowed; and titles were conferred. The most flattering promises, of his majesty's resolution of doing every thing in his power for the relief of Scotland, were contained in his letters to the parliament. These attempts only served to evince the inveterate and universal disaffection of the Scots. Remonstrances and addresses, from parliament, complaining of grievances, frustrated the expectations of the king, and repeatedly obliged his commissioners prematurely to adjourn it. The malecontent members threatened to sit by force, and in defiance of the king's adjournment. Petitions, in the same strain with the addresses, and praying for a meeting of parliament, were presented by many of the

1700.

[36] Lewis advised James at this time not to enter into any terms with the malecontents in Scotland, because, on account of the increasing rancour between the two kingdoms, it would render him odious to the English, who were the most powerful; whereas, if he regained England, the Scots must necessarily yield to his authority. This advice of the court of France probably proceeded more from a regard to its own interest, than that of James. The partition treaty, which was now negotiating, would have been frustrated, if France had provoked William by stirring up a rebellion in Scotland.

CHAP. XVIII. 1700.

counties and boroughs. It was dangerous for any person, in the course of conversation, to say any thing in defence of the king or his ministers; or to express himself, with respect to the affair of Darien, contrary to the general sense of the nation[37].

In this situation, it became evident that the strength of England was impaired, and its prosperity endangered, by a connexion with Scotland. A disunion of interest and affection, between the two nations, indicated an approaching disjunction of their government. The extension of the act of settlement, deemed essential to the safety of the government and the protestant religion, was not adopted by the Scottish parliament. After the death of William, it was obliquely rejected by their act of security[38]. That sagacious prince had foreseen all these evils, and often expressed his wishes for an incorporating union between the two kingdoms, as essential to the happiness of both. The enlightened and disinterested friends of their country were more and more convinced of the importance of this object. Their wishes and endeavours were at last crowned with success by the act of union, passed in both parliaments in the year one thousand seven hundred and seven.

As the fruits of this event, after the experience of near a century, have been fully answerable to the fondest expectations of its promoters, it will be the ardent prayer of the generous patriot, that every recollection may be obliterated, and every inequality and distinction abolished, injurious to the continuance and perfection of that union, which is pointed out by the hand of the wise Creator of the universe.

[37] For the proof and illustration of these facts relative to Scotland, the reader is referred to a valuable Collection of State Papers and Letters, addressed to Principal Carstares, and published by Doctor M'Cormick 1774; which exhibits a more distinct and striking view of the temper and political state of Scotland, than what can be conveyed by any general history.

[38] By the act of security, passed in the parliament of Scotland in 1604, it was provided, that, if the queen died without issue, a parliament should immediately meet, and declare the successor to the crown, who should not be the *same person* who was possessed of the crown of England, unless, before that time, there should be a settlement made in parliament of the rights and liberties of the nation, *independent on English councils.*

CHAP. XVIII.

1691.

State of Ireland.

Articles of Limerick.

To complete this work, it is neceſſary to give a ſhort account of the political ſtate of Ireland from the period, at which we left it, to the end of this reign.

The war there was terminated, as I have obſerved, by the ſurrender of Limerick on the fifth of October one thouſand ſix hundred and ninety-one. By the articles of capitulation, the Roman catholics were eſtabliſhed in the privileges which they enjoyed in the reign of Charles the ſecond. All the garriſons, which had declared for king James, and all officers and ſoldiers, bearing his commiſſion, who were willing to take the oaths to William and Mary, were to enjoy the eſtates which belonged to them before the commencement of the war. The ſame benefits were to be extended to merchants and other perſons who had gone abroad within that period, provided they ſhould return within eight months, and ſubmit to the government. Such as declined to do this were permitted to leave the kingdom, and to go beyond ſea to any place they choſe, England and Scotland excepted. To facilitate the tranſportation of officers and ſoldiers in the ſervice of James, the Engliſh general engaged to furniſh fifty ſhips of two hundred tons, and more, if neceſſary, upon condition of paying the expences of their proviſions at the place of diſembarkation.

Cenſured by the Iriſh proteſtants and whigs.

Theſe were the principal articles, agreed to at the ſurrender of Limerick, boaſted of by the friends of James as the moſt advantageous capitulation recorded in the annals of war, and condemned by the Iriſh proteſtants, and many of the whigs in England, as diſhonourable to the arms of William, and unjuſt to his beſt friends in Ireland [39].

The reduction of that kingdom had been conſidered, by the proteſtants, as affording the moſt favourable opportunity for impoſing ſuch reſtrictions upon the Roman catholics, as might remove any future danger ariſing from the great ſuperiority of their numbers.

[39] Orleans. Burnet, 1691.

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By the ſtoration of property to the perſons, who were in arms againſt the revolution, the Engliſh nation was deprived of confiſcations, which, though turned to the beſt account, muſt have proved an inadequate compenſation for the burdens they had endured in accompliſhing the reduction of Ireland. By ſecuring to the rebels not only the poſſeſſion of their original property, but, of their eſtates, at the time of the treaty, as well as by the pardon of treſpaſſes committed during the war, the moſt oppreſſive injuſtice to individuals was confirmed; and thoſe, who, upon account of their early zeal for the revolution, had been moſt expoſed to violence and depredation, were abandoned to irreparable loſs and ſuffering.

No article of this treaty was more ſeverely cenſured, than that, which ſtipulated for the tranſportation of the Iriſh officers and ſoldiers into France. What more acceptable ſervice could have been rendered to the French king, than to furniſh him with a choice body of troops made deſperate by exile, and prepared, when an opportunity occurred, to invade their native country with advantages, which no foreigners could poſſeſs? Nor would the benefit, which France was likely to derive from this conceſſion, be confined to the ſervices, or terminated by the lives, of the perſons who were firſt tranſported from Ireland. By maintaining a correſpondence with their relations, who remained in their native country, they would entice many to follow their example. The ſpirit of emigration, together with attachment to a foreign intereſt, would be cheriſhed, and, in ſucceeding generations, the armies of France would be recruited with the ſubjects of England.

Conſiderations tending to vindicate the propriety and juſtice of them.

However plauſible theſe obſervations, yet ſtrong reaſons, ariſing from the circumſtances of both kingdoms, recommended to William the moſt liberal conceſſions for obtaining the early ſubmiſſion of Ireland. The parliament of England, recollecting the enormous profuſion of blood and treaſure waſted in ſubduing the Iriſh rebels, in the reign of Charles the firſt, granted ſupplies for the preſent war

with

with reluctance and penury; and yet, such gross abuses daily occurred in the expenditure of them, as furnished the party in opposition with the most specious grounds, for arraigning the conduct of the king and his ministers. He foresaw with regret, in the prolongation of hostilities in Ireland, a diversion of the revenue and force of England, which he wished to employ more directly against the armies of France upon the continent.

Nor was there any just reason for treating the Irish as rebels against the government of England, and for insisting upon those hard terms of submission, which were prescribed by the fears, the interests, or the resentment, of the English protestants. James had not abdicated or deserted the throne of Ireland. So long as a deputy held the reins of government in his name, the most obvious duty, as well as a regard to personal safety, recommended the continuance of allegiance to him. His assuming the government in person, while England still hesitated and delayed to succour those who had declared for the prince of Orange, necessarily involved, in active hostility, many persons, who wished well both to liberty and the protestant religion.

The privileges, granted to the Roman catholics, were such as could not have been withheld, without invading the constitution established at the restoration; and giving the highest offence to the foreign princes, who were members of the confederacy [40].

The consenting to the emigration of the Irish troops might also be vindicated by the rules of prudent policy. Was it to be imagined, that such a numerous and gallant body, hostile to the protestant religion and government, inured to plunder, and with arms in their hands, would have remained in a state of harmless inactivity? In what situation could they be more serviceable to Lewis, or more dangerous to William, than by being planted in the bowels of their native country, and ready for an insurrection, whenever any leader

[40] Letters of the earl of Perth, Macpherson's State Papers.

should

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ſhould offer to conduct them? The tranſportation of ſuch a number of diſaffected ſubjects, was like giving vent to thoſe deleterious humours of the body, which, if they do not find a free diſcharge in the extremities, will recoil upon the vital parts, and quickly put an end to its exiſtence.

But however neceſſary the articles of Limerick might be, for obtaining the peaceable ſettlement of Ireland, yet it might have been expected, that the excution of them would excite temporary diſcontents; and even alienate the affections of many who firſt ſupported the revolution. The ſchemes of avarice and reſentment were not only defeated, but, in ſome inſtances, the expectations of equitable indemnification were cut off, by ſuch a liberal remiſſion of forfeitures, and ſuch a comprehenſive extenſion of mercy. To reconcile ſo many jarring intereſts, and to ſoften the complaints of the diſappointed, great firmneſs and diſintereſtedneſs were requiſite in the perſons, whom the king intruſted with the management of his affairs.

Abuſes committed by his majeſty's ſervants in the government of Ireland.

Unfortunately, however, either from the original want of theſe qualifications, or the uncommon force of temptation, the meaſures and example of his majeſty's ſervants rather tended to inflame the diſcontents of the Iriſh, and to bring reproach upon the articles of Limerick. The perſons, whom the king appointed lords juſtices or commiſſioners[41], diſcovered an arbitrary ſpirit, and great partiality, in the diſpenſation of juſtice. The trial of crimes was often conducted in a ſummary way, and without regard to the eſſential forms of law: evidence was ſuppreſſed with the connivance of the judges: the principal tranſgreſſors were acquitted, while thoſe, who acted under their direction and influence, ſuffered the extreme vengeance of the laws[42]. But, in no caſe, did the management of the juſtices appear more iniquitous and oppreſſive, than in regard to the Iriſh forfeitures. The

[41] On the 5th September 1690, the king conſtituted lord Sidney and Thomas Conningſby lords juſtices of Ireland, and afterwards added others to the commiſſion.

[42] Ralph, vol. ii. p. 335.

moſt

moſt beneficial leaſes were not only retained for themſelves and their friends, but, in the competition for eſtates and farms, the loweſt bidders were ſometimes preferred; which, unavoidably, led to the ſuſpicion of ſecret compenſation being made them for flagrant breach of truſt. Theſe miſdemeanours, and the grievances occaſioned by them, produced complaints and diſaffection, which were made the ground of ſpecific charges, preſented to the legiſlature in both kingdoms. Inquiries were inſtituted: important diſcoveries were made; but the extreme intricacy and tedioufneſs of this buſineſs, the private concerns of parties in England, and the induſtry of powerful individuals, who were not themſelves free from all acceſſion to the guilt alleged, prevented any effectual redreſs of public abuſes, and the puniſhment of ſtate delinquents[43].

Peaceable ſtate of Ireland.

Notwithſtanding theſe occurrences, it is remarkable, that no internal diſorder, affecting government, happened in Ireland after the ſurrender of Limerick. No future attempt was made by James, or his friends, to raiſe an inſurrection there. In the conſultations among his agents, and their correſpondence with Saint Germains, they do not ſeem at all to have reckoned upon the ſtrength of Ireland, or to have expected any material ſupport from it. The ſubmiſſion of the Iriſh to the laws and government was more prompt and regular, than it had been in any former reign. His majeſty's title was recogniſed without any conditions; and, in five ſucceſſive ſeſſions of parliament, which met in the courſe of this reign, ſupplies were granted, and meaſures, in general, were carried on, agreeably to the wiſhes of the court.

5th October 1692, 27th Aug. 1695, 27th June 1696, 27th July 1697, 27th Sept. ber 1698.

No bold efforts made by the Iriſh to aſſert their independence.

In attending to the hiſtory of this period, we are naturally ſtruck with the remiſſneſs of Ireland, in having omitted ſo favourable an opportunity of meliorating her political ſituation. If it was in[illegible] to attempt an explicit declaration of her right to an independent [illegible]lature and juriſdiction, yet the example of the conventions, in Eng-

[43] Journ. Commons, February, March, 1693, paſſim.

land

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1693-4-5-6-7-8, &c.

land and Scotland, might have suggested the idea of stipulation with the new government, and the propriety of fixing limitations to the superiority claimed by England; and of guarding against encroachments and abuses, to which it was wantonly extended in the succeeding reigns.

Reasons for this.

A slight acquaintance with the state of Ireland furnishes a satisfactory explanation of that conduct, which, at first view, may be placed to the account of negligence, or want of public spirit. The prejudices of education concurred with the immediate views of interest, to dispose his majesty's protestant subjects, now vested with the exclusive possession of power, to adopt measures tending to increase and strengthen, rather than to relax or dissolve, the dependence of Ireland upon England. All the English families transplanted into Ireland from the reign of James the First, who prosecuted by every method the propagation of the reformed faith, had been taught to consider their religion and their property as inseparably connected; and to prefer the security and defence of the former to every other consideration. These principles were instilled into their children, with the first rudiments of education; and became more vigorous and operative in their descendants at the revolution, from the remembrance of the horrors of the Popish massacre, and their own experience of alarm and danger in the preceding reign. Charles the Second had been often inveighed against for his indulgence to the Irish catholics; and James the Second, by the new modelling of charters, had openly and boldly transferred all the functions of government into their hands. By the revolution these were again restored to the protestants. Far exceeded in numbers by the Roman catholics[44], the Irish protestants considered the maintenance of power and property, and the very safety of their persons, as depending upon their connexion with England. All their schemes and measures were there-

[44] They were calculated to have been in the proportion of four to one, at the Restoration; and probably increased from that period to the Revolution.

fore

fore formed and directed with a view to cherish this connexion, and to ensure the defence of their religion. For this purpose they suggested amendments upon the act of settlement: they objected to the articles of Limerick, which, in their apprehension, shewed too much kindness to the Roman catholics. A sullenness and discontent prevailed in the first session of parliament, because lord Sydney, the lieutenant, favoured the native Irish and catholics too much[45]. Impressed with these views, the protestants in Ireland were afraid of incurring the displeasure of England; and if more extended views of liberty, or a foresight of oppression, inclined them to disown subjection to a foreign legislature and judicatory, or to propose any measure which implied the rejection of it, they were over-awed, and yielded to the control of the English parliament. Different measures, pursued in the first session after the surrender of Limerick, sufficiently ascertain, that the Irish parliament was not ignorant of the just claims of their constituents to independence, nor backward in asserting it, though, for the reasons mentioned, they had not boldness, nor, as circumstances stood, the ability to follow it out[46]. The English parliament was content, for a while, to pass acts binding Ireland, and implying its subordination, till at length a political pamphlet gave alarm, and occasioned the house of commons to make an explicit declaration of the dependance of Ireland upon England, with an address to the king to use every method to maintain it[47].

[45] So strongly, long after this period, did the same temper prevail, that we find the Irish protestants attentively availing themselves of every incident and emergency in England, to obtain farther securities against the Roman catholics. They knew how anxious the English parliament was to obtain the consent of all the three kingdoms to the act of settlement, and they agreed to it upon this condition, that Roman catholics should be disqualified from serving in parliament. In the same spirit they took advantage of the alarm of England, during the rebellions 1715 and 1745, to obtain stricter laws against Roman catholics.

[46] They were offended at the privy council in England for presuming to suggest particular taxes or means of supply, and contended, that, notwithstanding Poyning's law, it was their privilege to tax themselves. November 1692. They rejected three bills transmitted from England, and gave it as their reason, that they had not taken their rise in that house.

[47] Chapter xix.

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To this idea of the dependance of Ireland, the conduct of the English ministers, in succeeding reigns, was rigidly conformed. Harsh measures were often adopted, where her interests were suspected, ever so remotely, to interfere with those of the parent state, and sometimes restrictions were imposed upon her manufactures and trade, without any certain advantage either to the commercial profit, or political strength, of England. Ireland long complained in vain of the accumulated oppressions which she endured under the British yoke, till at length, finding herself in possession of a powerful military force, when the mother country was over-matched by a combination of foreign enemies with her own disaffected children, she seized the favourable juncture of urging her claims with an assurance of success, and England yielded, from necessity, what she ought long before to have surrendered voluntarily, upon principles of justice and liberality. It is to be hoped, that the future prosperity of Great Britain and Ireland, united upon equal terms, will inculcate upon princes and legislators, in ages to come, this important maxim, that, that policy is ever the most beneficial, which is most consonant to equity, and most extensively conducive to the liberty of those over whom it is exercised.

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# APPENDIX I.

IN order to understand the grounds and extent of the demands now made by the presbyterians in Scotland, it is necessary to attend to the early history and character of the reformers there. The first object which they had in view, after obtaining the countenance of government, was to abolish every remaining monument and vestige of popery; and for this purpose, they made application to the states, to discountenance, and inflict severe punishments upon, all

all idolaters, or maintainers of idolatry, for ſuch were the appellations they gave to thoſe, who practiſed the worſhip and rites of the Roman catholic religion. This object, together with the eſtabliſhment of their diſcipline, and the appropriation of a certain part of the parochial benefices for the maintenance of the reformed preachers or miniſters, principally engaged the attention of the firſt fifteen general aſſemblies, which met on the twentieth of December one thouſand ſix hundred and ſixty, &c. &c. Keith's Hiſtory of the Church and State, p. 498, &c.

Connected with theſe points, another object was ſoon ſtarted, and purſued with unremitting ardour through ſucceeding aſſemblies; namely, the maintaining and ſecuring to the eccleſiaſtical courts a juriſdiction ſeparate from, and independent on, the civil authority. This juriſdiction they deſcribe in the following words: "This "power and policy eccleſiaſtical is different and diſtinct in its own "nature from that power and policy which is called civil power, and "appertaineth to the civil government, &c." Again, "This power "eccleſiaſtical floweth immediately from God and the Mediator "Jeſus Chriſt, and is ſpiritual, not having a temporal head on the "earth, but only Chriſt, the only ſpiritual king and governor of "his kirk." Second Book of Diſcipline, chap. i.

Two cauſes concurred to ſtimulate the preſbyterian clergy to the more vehement and inflexible proſecution of an independent eccleſiaſtical juriſdiction:

1. The interference of the civil power, which invalidated and cancelled the ſentences of their judicatories, and ſometimes protected perſons, who oppoſed the intereſts of the reformation, and contemned the authority of the church courts. A diſtinct and full view of this branch of eccleſiaſtical prerogative the reader, who deſires farther information, may obtain, by peruſing the following papers—A Remonſtrance of the thirteenth General Aſſembly anent the Commiſſion of Juriſdiction granted to the Biſhop of St.

Andrews; Keith's Hiſtory, p. 566. The Caſe of Mr. Robert Montgomery; Spotſwood's Hiſtory, p. 318, &c. An Act of Aſſembly relative to the above Caſe; Calderwood's Hiſtory, p. 123, &c. The Declinature of the King and Council's judicature in Matters Spiritual, by Mr. David Blake, Miniſter at St. Andrews, 18th November 1596, approved by Commiſſioners appointed by the General Aſſembly, and tranſmitted to Preſbyteries to be ſubſcribed by them; Ibid. p. 338. Spotſwood, p. 419. 426. The Preface to Articles preſented to the King and States by the General Aſſembly 1582. The purpoſe of which articles is expreſſed in the following words: "That the acts of parliament concerning "the liberty and juriſdiction of the kirk, be ſo plainly declared "and enlarged, that, hereafter, no other of whatſomever degree, "or under whatſoever pretence, have any colour to aſcribe or take "upon them any part thereof, either in placing or diſplacing, or of "hindering, ſtaying, or diſannulling the cenſures of the kirk." See, particularly, the 1ſt Article; Calderwood, p. 134. and the Remonſtrance about the Popiſh Lords, ibid. 142. 301. Patrick Adamſon's Anſwer and Refutation, p. 263. Anſwer to the General Aſſembly at Perth, February 1596, particularly Anſwer to Queſtion 2. Ibid. p. 383, and to Queſtion 23. p. 385.

By attending to the above papers the reader will perceive, that a jealouſy of preſbytery haunted the breaſt of James the Sixth of Scotland. He bitterly complained of the inſolence of the miniſters of the kirk, and when they waited upon him to know the cauſe of his majeſty's diſpleaſure againſt them, he plainly told them, "That there "could be no agreement between them, ſo long as the marches of the "two juriſdictions were not diſtinguiſhed; that they did convocate "general aſſemblies without his licence, conclude what they thought "good, not once deſiring his allowance and approbation; and in "their ſynods, preſbyteries, and ſeſſions, did meddle with every "thing upon pretence of ſcandal." See Acts of Parliament preſented

ſented to the General Aſſembly at Dundee, April 1693; Calderwood, p. 285. Spotſwood, p. 419.

2. As the firſt reformers, Knox and Melvine, founded the conſtitution of the proteſtant church in Scotland upon the model of that of Geneva, they thought it of the greateſt importance to exclude all connexion or aſſociation with the civil power; and as they would not admit of its interference in their eccleſiaſtical judicatories, they were no leſs anxious to debar their own members from any participation of ſecular authority, leſt it ſhould ſeduce them into an approbation of an eccleſiaſtical ſubordination, which was the fond deſire of James. Aware, that ſuch connexion between the civil and eccleſiaſtical judicatories was really the moſt likely means to overturn preſbyterian parity, and to render the clergy obſequious to the court, James laboured with perſevering diligence to introduce a repreſentation of them into the ſtates. By profeſſions of reconciliation to the kirk, conceſſions, and great addreſs in packing a commiſſion, in the year one thouſand five hundred and ninety-eight, he obtained its conſent to an act of parliament, "that ſuch paſtors and miniſters as his majeſty "ſhould provide to the place, dignity, and title of a biſhop, or other "prelate, at any time, ſhould have voice in parliament, as freely as "any eccleſiaſtical prelate had in times paſt." Spotſwood, p. 448. But the reſolutions of that commiſſion were underſtood to be ſubverſive of preſbytery, and accordingly the eſtabliſhment of epiſcopacy ſoon followed. Dependence upon the civil legiſlature, in matters eccleſiaſtical, was diſclaimed; and the privilege of a ſeparate juriſdiction was conſtantly inſiſted upon, by all who profeſſed to adhere to preſbytery, according to its original and pure inſtitution.

With reſpect to the other conceſſion made by lord Melvill, namely, the aboliſhing the right of patrons to preſent to vacant pariſhes, it may be obſerved, that it was not any eſſential or fundamental part of the conſtitution and government of the preſbyterian church in Scotland. Preſentations were coëval with the legal eſtabliſhment

blifhment of prefbytery. Thus, by an act of the Scottifh parliament, December, one thoufand five hundred and fixty-feven, it was ordained, "that the examination and admiffion of minifters be "only in the power of the kirk, *without prejudice to the patrons*, "who muft prefent a qualified perfon within fix months after they "have knowledge of the vacancy," &c. And again, by the act of parliament, fifth June one thoufand five hundred and ninety-two, which contains the ratification of the prefbyterian difcipline and government, it is ordained, "That all prefentations to benefices be "directed to the particular prefbyteries, with full power to give "collation thereupon, according to the difcipline of the kirk: *pro-"viding the forefaid be bound and aftricted to receive and admit what-"fomever qualified minifter be prefented by his majefty or laick pa-"trons.*"

The order and progrefs of the meafures purfued by the convention, relative to ecclefiaftical affairs, afford indifputable evidence, that they did not confider the abolition of patronage to be founded upon the fame grounds with thofe other claims, which they annexed to the twenty-firft article, in the enumeration of their rights. They abrogated the affertory act, or the act of fupremacy, paffed in the year one thoufand fix hundred and fixty-nine, as inconfiftent with the eftablifhment of the church government they defired; they abolifhed prelacy; they reftored the prefbyterian clergy, who had been thruft out of their livings after the reftoration. So far the path was open and fmooth, and they advanced with expedition and affurance; but, when they proceeded to fettle the prefbyterian church government, upon the footing of the act one thoufand five hundred and ninety-two, and to ratify and revive the fame in all the heads thereof, they paufed and hefitated with refpect to that claufe, which fecured the right of patronage, and referved it for future confideration. They were aware, that this ftatute, which was to be the rule of their proceedings, contravened their own opinion and the popular defire.

 But,

But, though presentations were thus interwoven with the legal establishment of presbytery, it does not appear that they were agreeable to the inclinations of the presbyterian clergy, or that they would have preferred this mode of settling vacant parishes, if it had been left to their choice. Early after the reformation, they expressed an earnest desire, to abolish this branch of the right of patrons, and to vest the election of ministers in the parishes, or the presbyteries. See First Book of Discipline, chap. 4. General Assembly, 1560. Second Book of Discipline, chap. 12. Presentations, however, being a matter of civil right or property, could not be taken away, without consent of the states. Unable to obtain this, future general assemblies exerted their endeavours to prevent the abuse of presentations, to circumscribe the power of patrons, and to secure the qualifications of presentees. Adhering to the same sentiments, the church of Scotland availed itself of the depressed situation of Charles the First, in the year one thousand six hundred and forty-two, to obtain his consent to confine the candidates for vacant parishes, to a leet; that is, to a list, of six, to be sent him by the presbytery of the bounds. And they afterwards proposed that their leet should be confined to three. After the death of Charles, the states of Scotland passed an act, on the ninth of March one thousand six hundred and forty-nine, abolishing the patronage of kirks.

As presentations were abolished at that period, when presbytery was considered to have attained its purity, and revived, after the restoration, together with the establishment of episcopacy, the original prejudices of the people in Scotland against them were corroborated, by associating them in idea with a form of religion which was unpopular, and by invading that freedom of choice which they had long exercised. It is also natural to conclude, that the presbyterian clergy, who, during the late reigns, had subsisted by the bounty of the people, would be partial in asserting and contending for what they believed to be the rights of their benefactors.

After

After the abolition of preſentations, the right of electing miniſters for ſupplying vacancies was placed in the heritors; that is, proprietors of land, and the elders, or kirk ſeſſion of the pariſh. This plan of ſettling miniſters continued till the year one thouſand ſeven hundred and eleven, when, by act of parliament, the right of patrons was again reſtored. Though, from this period down to the preſent day, preſentations, together with collation by the preſbyteries, have been the only legal method of conferring a right to benefices, the eccleſiaſtical laws, which were adapted to the act one thouſand ſix hundred and ninety, remain unrepealed; and this jarring, between the civil and eccleſiaſtical legiſlature, has given occaſion to diviſions injurious to the preſbyterian eſtabliſhment in Scotland. While the people are miſled, by the forms of eccleſiaſtical courts, to believe, that a call, that is, the conſent of a great portion of the people, or at leaſt a majority of the heritors and elders, is neceſſary to complete the right of the preſentee; ſo, when that is wanting, they think themſelves warranted to object to his being collated, or ordained by the preſbytery; and accordingly, as the preſbyteries happen to approve or repel this objection, the cauſe is carried, by appeal of the patron, or of the pariſh, to the general aſſembly, the ſupreme judicatory, whoſe ſentence is final in all eccleſiaſtical cauſes. But, in this judicatory, a diverſity of ſentiment often obtains among the members, who are equally entitled to credit for the purity of their motives; ſome contending, that the eccleſiaſtical laws ought to be the rule of their deciſion, while others are convinced, that not only neceſſity, but utility, requires obedience to the ſtatute.

It were earneſtly to be wiſhed, that the civil and eccleſiaſtical laws were moulded into ſuch conformity with each other, as to free the ſentences of the church courts from every handle of cenſure, which is not only hurtful to their reputation, but painful to individuals, who abhor even the appearance of any deviation from candour and juſtice, either in their private or public conduct.

# APPENDIX II.



A Commiſſion was granted on the twentieth of June one thouſand ſix hundred and ninety-three, appointing certain perſons to make inquiry concerning the ſlaughter of Glenco, by whom and by what authority it was committed, and with full powers to examine witneſſes, and to tranſmit the true ſtate of the matter to the king, that he might give proper directions for ſatisfying the nation.

From the proceedings of this commiſſion, and the ſubſequent reſolutions of parliament, in May one thouſand ſix hundred and ninety-five, we are enabled to penetrate into the cauſes of a meaſure ſo reproachful to the government of William, and ſo inconſiſtent with the ordinary tenor of his diſpoſition and conduct. We evidently perceive a ſeries of malignant events, conſpiring to the accompliſhment of an atrocious action, which could not have happened, if any one of them had been wanting; and unleſs an uncommon cordiality in cruelty had united the adviſers, abettors, and executioners, of it.

Private pique and reſentment, ariſing from an ancient and hereditary feud, induced lord Breadalbane to give the moſt exaggerated account of Glenco's diſloyalty, and of the effects of which it might be productive. He was repreſented as the ſole cauſe of fruſtrating his majeſty's plan of reconciling the Highland clans to his government; and as reſerving himſelf for ſome future opportunity of rebellion. Theſe views were ſeconded by ſir John Dalrymple of Stair, ſecretary of ſtate. When the king was adviſed to offer, by proclamation, an indemnity to the Highland rebels, who ſubmitted by taking the oaths, and threatening the moſt ſevere vengeance againſt ſuch as did not, ſir John Dalrymple anticipates the diſobedience of Glenco,

and projects his destruction. "Since the government cannot oblige "them, it will be obliged to ruin some of them, to weaken and "frighten the rest;" and he adds, "That Macdonald of Glenco "will fall in the net." Letters of secretary Stair to colonel Hamilton, 1st and 3d December 1691; State Papers, T. W. vol. iii. p. 603.

A concert seems to have been formed among his majesty's ministers in Scotland, to suppress the evidence of Glenco's having taken the oaths to government. The privy council refused to admit the certificate of sir Colin Campbell of Ardkinlas, sheriff-deputy of Argile, bearing that Glenco had taken the oaths. Individuals, who were members of the privy council, when applied to by Colin Campbell, the sheriff clerk, to receive the certificate, answered, that they could not receive it without a warrant from the king; and that it would neither be safe for Ardkinlas, nor profitable for Glenco, to give it in to the clerk of the council. His words, upon evidence, are, "That lord Aberuchil, one of the privy counsellors to whom he "applied, said he had spoke to several privy counsellors, and parti-"cularly to the lord Stair, and that it was his opinion, that the fore-"said certificate could not be received without a warrant from the "king." Aberuchil confirms his evidence, but does not name lord Stair. After the news of Glenco's delinquency, before any instructions were received from his majesty, Stair writes two letters to sir John Livingston, commander of the troops in Scotland, in which he expresses the utmost satisfaction at that event, and endeavours to prepare sir Thomas for the most cruel orders, undertaking that his commission shall contain sufficient authority. "I assure you, "your power shall be full enough, and I hope the soldiers will not "trouble the government with prisoners." Stair's Letter, seventh January one thousand six hundred and ninety-two. In his letters, sent with the first instructions to sir Thomas, he expresses personal resentment against Glenco. He speaks as if it was his own cause,

and

and enlarges upon the inſtructions given to the commander. "I "have no great kindneſs to Kippoch nor Glenco. Argyle tells me "that Glenco has not taken the oaths; at which I am glad. It "is a great work of charity to root out that damnable ſect; the "worſt of all the Highlanders." Letter eleventh January. He afterwards writes on the ſixteenth: "The king does not incline to "receive any after the diet, but upon mercy." And adds, "I en-"treat that the thieving tribe of Glenco may be rooted out to pur-"poſe." He not only urges ſir Thomas Livingſton to the moſt rigid execution of the king's orders, but, what is particularly re-markable, knowing that theſe orders would be committed by Li-vingſton to colonel Hill, he writes alſo to the latter, giving ſuch di-rections as might render the execution of them more fatal and ef-fectual. "When the thing concerning Glenco is reſolved, let it be "ſecret and ſudden, otherways the men will ſhift you; and better "not meddle with them, than not do it to purpoſe." Letter thirtieth January.

Sir Thomas Livingſton caught the bloody ſpirit of Stair; and in a letter to colonel Hamilton, who was to execute the buſineſs, he re-peats all his expreſſions; and obſerves to the colonel, "that he will "have an opportunity of ſhewing that his garriſon ſerved for ſome "purpoſe." See Letter from ſir Thomas Livingſton to colonel Ha-milton, 12th Feb. 1692; State Papers, T. W. vol. iii. p. 608.

When we obſerve ſuch a combination of malice, ſuch premedi-tated and perſevering violence, in thoſe who adviſed and ſerved the king, we need not have recourſe to the ſuppoſition of any inherent cruelty in his diſpoſition to account for the maſſacre at Glenco. He muſt have been, to an uncommon degree, ſuſpicious and wary, if he had avoided the ſnare. After all, it is not intended to remove all blame from his conduct in this affair. He was guilty of indo-lence and careleſſneſs, in conſenting to inſtructions ſo horrid and barbarous; in not enquiring into the circumſtances of this event

 imme-

immediately after it happened, and in not inflicting punishment upon the perſons, to whom the guilt was applied by the commiſſioners. The maſſacre of Glenco, if not a crime in William, was certainly one of the greateſt misfortunes of his reign. The commiſſioners found that there was nothing in the king's inſtructions to warrant the committing of the ſlaughter, and far leſs the manner of it; and that ſecretary Stair's letters were no wiſe warranted by, but quite exceeded the king's inſtructions. State Papers, T. W. 609. See alſo De Foe's Hiſtory, p. 70. Cunningham's Hiſtory, vol. i. p. 124.

## CHAP. XIX.

*Circumstances unfavourable to the Influence and Tranquillity of William after the Peace of Ryswick.—His Anxiety to prevent the Reduction of the Army.—Arguments against a standing Army—Arguments for it.—Reasons for the King's Reluctance to the Disbanding of the Army.—Meeting of Parliament.—Resolutions of the Commons to disband the Army.—Various Pretexts of the King for not complying with it.—The Civil List augmented.—Resolutions with respect to the public Debts.—Establishment of a new East India Company—Motion for appropriating the Irish Forfeitures to the public Service—defeated.—Attack upon Mr. Montague.—The Dependence of Ireland on England asserted.—Dissolution—and Character of the third Parliament of William.—Partial Change in Administration.—The Earl of Portland sent Ambassador to France.—The Whigs prevail in the Elections.—The fourth Parliament meets.—The Army farther reduced.—The Navy augmented.—Partial Change of Ministry in favour of the Tories.—Second Session of the fourth Parliament.—Measures of Opposition directed against the Whig Ministers—and personally against the King.—Reduction of the Navy.—Revocation of the Royal Grants in Ireland.—Severe Act against Roman Catholics.—Reflections.—Address and Insinuations of the Tories for prevailing with the King to bring them into Power.—Lord Somers removed from Administration.—Events contributing to a complete Change of Ministry.—Death of the Duke of Gloucester.—The Importance of extending the Protestant Succession.—The State of foreign Politics.—Death of the King of Spain.—Dissolution of the fourth Parliament.*

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1697.

Circumstances unfavourable to the influence

THE peace of Ryswick closed the military labours of William, and confirmed his title to the crown of England, but it did not promote his tranquillity and influence at home. A contradiction to his favourite measures, insult to his affections, the faction, jealousy and ingratitude of his subjects, filled the remaining years of

CHAP. XIX. 1697. and tranquillity of William after the peace of Ryswick.

of his life with anxiety and bitterneſs. A war, popular at its commencement, had united the approbation and ſervices of every party, and, during its continuance, ſuſpended and moderated animoſities. The return of peace gave new ſcope to the proſecution of private intereſts and reſentments, diſturbed the harmony, and weakened the energy, of domeſtic government. The frequent changes in adminiſtration, ſince the acceſſion of William, indicated his indifference or impartiality with reſpect to the two moſt powerful parties, and diſappointed him of the cordial and ſteady ſupport of either. The ſtore of royal favours, a powerful attractive of homage and ſupport to the crown, was impaired by a peace eſtabliſhment. The whigs, who, independently on any motive of perſonal attachment, were the moſt ſincere friends to the revolution, and ſupported the authority of William as it was connected with that event, had loſt much of their reputation by the apparent inconſiſtency and ſelfiſhneſs of their conduct [1]. The tories, though they maintained more courtly principles than the whigs, had not ſcrupled, while in oppoſition, to make violent attacks upon the prerogative, and, beſides, were ſo much mixed with the friends of St. Germains and of the princeſs Anne, that the king could not rely with confidence upon their ſupport. The republicans, who had coaleſced with the whigs at the revolution, now began to reſume the name and conſequence, of an independent party. Many books in defence of their principles were now publiſhed, and, by the applauſe with which they were received, it appeared that their favourers were neither few nor inconſiderable [2]. From this party, a ſtrong reinforcement might be expected in every queſtion and reſolution, framed for degrading the dignity, or contracting the prerogatives, of the crown. The tumults and diſcontents of the Scots were a ſource of continual vexation to the

[1] Burnet, 1697-8.

[2] Harrington's Oceana, Milton's Antimonarchical Treatiſes, Ludlow's Letters, Sydney on Government, were ſtudied with great avidity at this time, and were ſuppoſed to make a deep impreſſion in behalf of the principles which they inculcated.

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the king, and the meaſures, which he employed to allay them, were turned into complaints againſt his government by his enemies in England. That jealouſy of the Dutch, which began at an early period in this reign, reſtrained during the war by the aſſociated intereſts of England and Holland, now broke forth with the utmoſt violence, trampled upon all the laws of decorum and gratitude, and gave a deep wound to the ſenſibility of the king[3]. At the ſame time, the rivalſhip and animoſity of thoſe, who had been the earlieſt objects of his confidence, diſappointed him of that ſympathy and united ſupport, which might have ſoothed him under the indignities which he daily received. Thus the violence of faction, a diſtruſt of every party, and the feeble and ſtaggering influence of the court, conſtrained him to purſue, in a clandeſtine way, thoſe meaſures, which the intereſt of England, and the independence of Europe, required; and the detection of them furniſhed his diſcontented ſubjects with new materials for cenſure and oppoſition. Theſe obſervations will be illuſtrated by the events and tranſactions of the remaining period of this reign.

Having ſettled the affairs of the States after the peace, William returned to England on the fourteenth of November. He was received by the city of London with pompous expreſſions of congratulation, and the gratitude of the nation was teſtified by addreſſes from every corporation and county. As the people in general rejoiced in the proſpect of a ceſſation from thoſe heavy burdens, which had been accumulating ſince the commencement of the war, ſo they were more ſolicitous to enjoy the immediate fruits of the peace, than to render it productive of durable and ſubſtantial advantages. The reduction of the army was univerſally expected as the certain and happy conſequence of that event; but, unfortunately, was conſidered by the king as equally fatal to his authority, and to the ſecurity of England and the States. Aware of the prejudices of the

Anxiety of the king to prevent the reduction of the army.

[3] See a pamphlet, entitled, The Dear Bargain. Somers' Collection, vol. xi. p. 228.

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people, he discovered an anxiety, impolitic and premature, to reconcile them to his private opinion and wishes. A pamphlet, setting forth the dangers which would follow from disbanding the army, was traced to the inspiration of the court, and only served to spread and to confirm the opposite opinion [4].

The anticipation of a question of such magnitude, and which constitutionally depended upon the vote of parliament, awakened popular jealousy, and discovered the spot in which the court was vulnerable. Whigs and tories, however much at variance in their political sentiments, had united upon this important point, and had published to the world their decided protest against a standing army. The former, in the reign of Charles the Second, contended for the dismission of the life guards, as essential to the safety of the constitution and liberties of England; the latter had meritoriously supported the militia in opposition to king James, who, after the suppression of Monmouth's rebellion, wanted to establish a standing army, as the fittest instrument for accomplishing his arbitrary measures [5]. A standing army was so well understood to be the darling object of every ambitious prince, and so repugnant to the liberties of the people, that it had been solemnly and expressly guarded against by the bill of rights, except with the consent of parliament. The select arguments upon this subject, which were dilated and placed in a variety of lights in the debates and publications of the times, may be compressed within a narrow compass.

Arguments against a standing army.

The expence of maintaining an army, the disorders and oppression which attended the residence of military men, the increasing power of the crown, arising from the disposal of so many commissions, were considerations no less obvious than worthy of patriotic attention.

[4] It was stiled, A Letter balancing the Necessity of keeping a Land Force in time of Peace; &c. and ascribed to lord Somers.

Very able pamphlets were published on the other side, particularly one by Mr. Trenchard, entitled, An Argument, shewing, that a standing Army is inconsistent with a free Government, and absolutely destructive to the Constitution of the English Monarchy.

[5] Ralph, vol. ii. p. 766.

No

No fact seemed to be better established by the current testimony of history, than the inconsistency of a standing army with a free constitution. When the extension of the Roman empire rendered it necessary to prolong the military services of the citizens, until at length the army became a separate and distinct body from the civil members of the state, it was employed as an instrument, in the hands of aspiring individuals, to subdue the liberties of their country. The freedom, which was established in the different states of Europe, after the fall of the Roman empire, had expired, when the military became independent on the civil authority[o]. The recent and domestic examples of the usurpation of Cromwell, and of the restoration of monarchy by Monk, were peculiar warnings to England, that neither the regulations of government, nor the sentiments and habits of the people, could prove any defence against the ambition of individuals, aided by the obedience and affections of well-disciplined troops.

To what particular cause are we to assign the pre-eminence of England, and its preservation of a free constitution, while nations, formerly in the same political situation, were bound by the fetters of despotism? To its insular situation, evidently, which superseded that augmentation or uninterrupted establishment of military force, necessary to protect continental nations from the invasion of contiguous enemies, or which invited them, in their turn, to an immediate and convenient extension of territory. These local advantages of England still subsisted, and were held forth as a sufficient argu-

[o] It may be asserted, that this argument is happily confuted by our own experience. The army of Britain has been gradually increasing for more than a century, and yet no injury to liberty has arisen from it, nor indeed is any danger apprehended. This very circumstance may be specified among the pleasing effects of the revolution; it has produced a remarkable and happy change on the character of military men. It not only introduced immediate improvements into our constitution, but planted the seeds of expanding freedom; the liberal sentiments, which are the fruits of these seeds, have now pervaded every rank and order of society. The idea of a separation, or an interference of interests, between the civil and military professions, is now extinguished. Among the latter we find the most correct views of our constitution, and the most ardent enthusiasm for the preservation of it.

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ment for oppoſing the increaſe and maintenance of a land force, proportionate to what had been adopted by its natural enemies upon the continent. A national militia, with ſome improved regulations, might, it was aſſerted, at a ſmaller expence, and without danger to the conſtitution, anſwer all the purpoſes of a defenſive and righteous war[7].

Arguments againſt it.

The arguments, in ſupport of a ſtanding army, reſted entirely upon the plea of neceſſity; nor was it ſuppoſed, that any perſon, however well convinced of the propriety of the meaſure, in the preſent circumſtances of the nation, either meant to conceal the inconveniences attending it, or to vindicate its perpetuity. While ſurrounding nations were augmenting their forces, England, by reducing hers, might not only loſe her weight in the political ſcale, but her conſtitution and internal proſperity would be expoſed to the moſt imminent danger from the attack of foreign enemies. The ancient hatred, between the Engliſh and French nations, ſharpened by the recent injuries of an expenſive and bloody war, and by perſonal animoſity between their preſent ſovereigns, was now more acute than had been known, ſince the time that the former had relinquiſhed her conqueſts and fiefs on the continent. The improvement and increaſe of the French fleet, experienced in the late war, rendered them always prepared for naval hoſtilities; while a ſtrong party in England, attached to the abdicated king, and her defenceleſs ſtate, ſhould the army be diſbanded, would invite her foreign and domeſtic foes to invaſion and inſurrection, almoſt with the certain proſpect of ſucceſs. The dangers, ſo much apprehended, might be entirely removed, by ſubjecting the military to a conſtant and ſtrict dependence on the civil power. The number of troops might be reſtricted to ſuch a proportion as was barely ſufficient for the defence of the nation, and retained only for a ſhort time, when it was

[7] Ralph, vol. ii. Life of William, vol. iii.

hoped,

hoped, that the circumſtances of Europe might ſafely admit of their being diſmiſſed [*].

1697. Reaſons for the king's reluctance to the diſbanding of the army.

It is not ſurpriſing, that the king entered into the diſcuſſion of this queſtion, with more anxious and undiſguiſed ſolicitude than what ſeemed conſiſtent with his uſual reſerve and prudence. His domeſtic ſituation, at an early period, directed the application of his genius to war, and inured him to military habits; his political principles, and his diſtinguiſhed talents, raiſed him to the illuſtrious ſtation of being the champion of the liberties of Europe. His aſcending the throne of England did not ſo much gratify a ſelfiſh paſſion for power and fame, as it did the liberal enthuſiaſm of the patriot, by adding the pecuniary and warlike aid, of an opulent and mighty nation, to a confederacy formed for the defence of civil and religious liberty. After eight laborious campaigns, he had humbled the ambition of France, eſtabliſhed the liberties of Europe, ſecured a crown to himſelf, and a free conſtitution to England; but, if his army were diſbanded, all was undone. The projects, the toils, the ſucceſs, of his whole life, would be fruſtrated. The death of the king of Spain was approaching, and would be followed by a controverted ſucceſſion. Should any one of the princes of France prevail by the right of blood, the whole power of that empire muſt become obedient to the direction, and ſubſervient to the ambition, of Lewis. The barrier of Holland would be no longer ſecure; the revolution-eſtabliſhment in England would be precarious; and the liberties of Europe brought to the extreme of danger. Beſides, the feelings of William, as a ſoldier, muſt have been deeply intereſted for the many brave companions, of his dangers and his victories, who were not only to be degraded from their dignity, but deprived of the proviſion, which was neceſſary for their reſpectable ſubſiſtence in the moſt private and retired ſituation.

[*] Ralph, vol. ii. Life of William, vol. iii. Publications of the Times in the State Tracts, and Somers' Collections.

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1697. Meeting of parliament. 3d Dec.

The zeal of the king for maintaining a large ſtanding army, founded upon theſe arguments, was at length announced in the moſt public manner, by his ſpeech at the opening of another ſeſſion of parliament. He told them, that the circumſtances of affairs were ſuch, that he thought himſelf obliged to declare his opinion, that England could not be ſafe without a land-force.

The foreſtalling, in this manner, an opinion upon a queſtion ſo ambiguous and controverted, awakened a jealouſy of the influence of the court, and gave an edge to the keenneſs of thoſe, who, either from the influence of principle or faction, were inclined to oppoſe it.

Both houſes addreſſed the king in high terms of reſpect and compliment; but, at the ſame time, general and reſerved as to the point, upon which he was moſt anxious to obtain their approbation [9]. In the courſe of the debates upon this ſubject in the houſe of commons, ſome animadverted upon certain expreſſions of his majeſty's ſpeech as too poſitive and overbearing; and a great majority intimated their diſapprobation of his ſentiments, by coming to a reſolution, without a diviſion, of paying off and diſbanding all the troops which had been raiſed ſince the year one thouſand ſix hundred and eighty [10]. The friends of adminiſtration moved, in vain, that the queſtion might be recommitted. With as little ſucceſs they propoſed, that directions ſhould be given to the committee of ways and means for providing a ſupply of five hundred thouſand pounds for the guards and garriſons. The deſign of retaining, under this deſcription, a reverſion of the army, was palpable; and, in order to defeat it, an amendment was added, that the motion ſhould be purſuant to the vote of the houſe, on the eleventh of December, which neceſſarily reduced the army below the number of eight thouſand men [11].

[R]eſolutions [o]f the com[m]ons to diſ[b]and the [a]rmy.

9 Journ. Lords, 6th; Journ. Commons, 7th December. 10 Journ. Commons, 11th December. 11 Journ. Commons, 8th January, 1698.

The

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1698.

Various pretexts of the king for not complying with it.

The king had recourse to various apologies and pretexts to elude or retard the execution of a measure, which could not be averted by secret influence, or the force of argument. He complained, that by disbanding all the men raised since the year one thousand six hundred and eighty, the defence of the nation would be thrown into the hands of the old tory troops, whose principles and loyalty were suspicious[14]. Several regiments were transported into Ireland, and in some the privates only were disbanded, while the officers were retained. The want of money, sufficient for discharging the arrears of pay, served as an apology in answer to the addresses and remonstrances of the commons, still urging compliance with their vote till the session was closed[13]. The king fondly hoped, that, by his influence in a new parliament, or by the occurrence of political events favourable to his system, he might be justified for maintaining a larger force than what was warranted by consent of parliament[14].

The civil list augmented.

But, though the commons were inflexible upon the point of disbanding the army, they seemed desirous to sooth the king, by their liberality in augmenting his private revenue. Seven hundred thousand pounds were voted for the civil list during his majesty's life, and the favour was enhanced, by being ascribed to a sense of gratitude for the eminent services he had done to the nation[15]. At the same time, this increase of revenue was understood to be burdened with the payment of fifty thousand pounds for the jointure of James's queen, and the expences of the duke of Gloucester's household[16]. The other supplies were granted with a discreet liberality,

[12] Ralph, vol. ii. p. 768.

[13] Journ. Commons, 28th May; 1st and 17th June.

[14] The jealousy of the nation, in the course of these proceedings, was inflamed by the large proportion of foreign troops in the pay of England. The king kept one troop of horse, consisting of 220 men, and four battalions of body guards, consisting of 2670 men, all Dutch. Two regiments of dragoons, amounting to 1400, and three of foot of 3000, were entirely composed of French refugees. These regiments were all considered as personally attached to William, and devoid of all zeal for the liberty and interest of the nation.

[15] Journ. Commons, 21st December 1697.

[16] Burnet, 1698.

and

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1698.

Resolutions with respect to the public debts.

and appropriated with a just arrangement to the several claims, which depended upon the faith of parliament.

The national debt at the conclusion of the war, including the arrears of the army and navy, and the subsidies due to foreign princes, amounted to ten millions eight hundred and seventy-six thousand pounds five shillings and one penny half-penny. This sum, contracted in the course of eight years, and little more than the half of what has been repeatedly raised, in our own days, within the space of one year, was, in the circumstances of the nation at that time, reckoned so enormous, as to render every plan for immediate payment impracticable. The commons therefore with propriety preferred the arrears due to the army and navy, and raised supplies sufficient to discharge them within the year one thousand six hundred and ninety-eight [17]. In order to soften the complaints of the reduced army, they voted half-pay to the commissioned officers, fourteen days subsistence to every foot soldier and non-commissioned officer, and six days pay to every trooper and non-commissioned officer of dragoons [18]. The illiberal jealousy of the nation, however, confined this generosity to those officers who were his majesty's natural-born subjects of England. The accumulated sums, voted for the supplies this session, amounted to four millions eight hundred and fifty thousand one hundred and seventy-four pounds five shillings.

Establishment of a new East India company.

The whigs availed themselves of their superiority to strengthen their future interest, by establishing a new East India company [19]. The affairs of the East India company had been introduced in many preceding sessions, but were not materially connected with the interest of parties, nor did they produce any regular influence upon the political situation of the kingdom. From this period till the year one thousand seven hundred and one, when the two companies

[17] Journ. Commons, 1st February, 10th March, April, May, passim. [18] Ibid.

[19] Journ. Commons, 26th May and 25th June.

were incorporated, the attachment of members of parliament to the one, or other, of these, became a criterion of their principles and connexions. The friends of the new company uniformly enlisted under the banner of the whigs, and the friends of the old company under that of the tories. While the latter used their endeavours for thwarting a measure, which was to throw so great a proportion of commercial influence into the hands of their antagonists, they appeared, at the same time, to stand forth as advocates for the honour of the crown and the justice of the nation[20]. In consequence of the old East India company having obtained a renewal of their charter, many new adventurers had entered into a partnership in their trade, and the property, of more than a thousand families in the kingdom, was vested in East India stock. Besides former expenditures, for which the prosperity of their trade might be supposed a sufficient compensation, a million had been lately disbursed in new fortifications, for their security in India, which could be refunded in no other way but by a monopoly, in terms of their charter.

Nov. 1693.

These arguments, though deeply founded in justice, were overruled by the liberal aid which the new company had offered to government; and to palliate the oppression of the measure, it was contended, that the king had no power to grant a monopoly without the consent of parliament, and that he had, in the charter, reserved the power of recalling it, upon giving them notice three years before-hand[21].

If the whigs, in this, as well as in the other sessions of parliament, discovered great liberality in granting supplies, and ingenuity in finding the means of raising them, their merits, at the same time, were tarnished, by soliciting and obtaining exorbitant grants and

[20] Lords' Debates, vol. ii. Journ. Commons, 15th June.

[21] The subscribers to the new company obliged themselves to raise two millions for the government, upon the condition, that they were to receive eight per cent. for their money, and enjoy an exclusive right of trading to the East Indies; the old company being allowed that privilege no longer than to the year 1701.

pensions

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pensions for themselves. The forfeitures in Ireland had already furnished them with overflowing treasures, and, if left to the disposal of the crown, promised an inexhaustible fund for gratifying the avarice of their leaders, and supplying the necessities of their friends. To defeat this prospect, their opponents brought in a bill for vacating all grants of forfeited estates in Ireland, from the thirteenth of February one thousand six hundred and eighty-eight, and appropriating them to the use of the public[22]. If this motion had been restricted, according to the intention of those who suggested it, to such grants as had passed during the present reign, it might probably have met with success at this time, and might have proved a new occasion of affront to the king, and of disappointment to his favourites. But when another bill was brought in, probably not without the instigation of the court, to extend the revocation to all similar grants during the two preceding reigns, it collected the united opposition of jarring parties, and was thrown out by a great majority.

Motion for appropriating the Irish forfeitures to the public services

defeated.

Attack upon Mr. Montague.

The tories made an attempt to hurt the influence and credit of the whigs, by proposing to impeach Mr. Montague, who was now at their head in the house of commons, for having obtained a grant upon one of the forfeited estates, for his own benefit, in the name of another person; but his distinguished talents and usefulness to the nation made a suitable impression upon the minds of its representatives, disappointed the malice of his enemies, and even proved the means of procuring him public honour. The commons voted, that he deserved his majesty's favour upon account of his good services to the government[23].

The dependence of Ireland on England asserted.

With whatever violence parties might disagree upon subjects relative to internal policy, yet they cordially united in the same sentiments, with respect to the dependence of Ireland on the legislature of England, and the plan of retaining her in that dependence.

[22] Journ. Commons, 7th February. [23] Ibid. 16th February.

To

To have propofed any mitigation of it, or any meafure for the feparate improvement of Ireland, was a ftretch of liberality, to which, probably, few individuals at that period had attained; or if they had, which no party could have dared to avow, from the fear of lofing popularity, as well as the favour of the court. Hence the houfe of commons unanimoufly expreffed their indignation againft a pamphlet, which maintained, that Ireland was not bound by acts of the Englifh parliament; and alfo againft fome late proceedings of the Irifh parliament, tending to eftablifh its independent authority[24]. After reading the exceptionable paffages of the pamphlet, they refolved, that it was of dangerous confequence to the crown and people of England; addreffed the king to take all neceffary care, that the laws reftraining the parliament of Ireland be ftrictly obferved; and to difcountenance every meafure tending, in any degree, to leffen its dependence on England[25]. This arbitrary fyftem, concerning the fifter kingdom, they feconded and fupported, by a meafure which deeply affected her internal profperity, when it feemed to interfere with that of England. For, upon complaints that the woollen manufacture was carried on in Ireland, they addreffed the king, that he would enjoin all employed by him there,

[24] This pamphlet, afcribed to Mr. Molyneux, was entitled, the Cafe of Ireland being bound by Acts of Parliament in England. Several acts of the Englifh parliament had paffed fince the commencement of this reign, binding Ireland, and fome of them repealing acts of the Irifh parliament. The tendency of thefe proceedings, and the effects of their dependence on England, began to be ferioufly confidered by the Irifh; and the above pamphlet was expreffive of the general fentiments of that nation. Their parliament, entering into the fame views, tranfmitted to the king and council the heads of a bill, which, under colour of giving a fanction to the acts of the Englifh parliament, was really meant to invalidate its authority; and which might have been ufed afterwards as a precedent for excluding it entirely. The commons, therefore, pointed their cenfure jointly againft the book and the parliament, by refolving, that the book was of a dangerous tendency, and that encouragement had been given to the inflammatory pofitions contained in it, by a bill, entitled, an Act for the better Security of his Majefty's Perfon and Government, tranfmitted under the feal of Ireland, whereby an act made in England was pretended to be re-enacted by an Irifh parliament. See Strictures on the State of Ireland, printed with De Foe's Hiftory of the Union.

[25] Journ. Commons, 21ft May; 22d, 27th, and 30th June.

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to use their utmost diligence for preventing the exportation of wool, unless it was brought into England; and for discouraging the woollen, and increasing the linen manufacture [26].

Dissolution

The king put an end to this session on the fifth, dissolved the parliament on the seventh, of July; and summoned a new parliament to meet upon the twenty-fourth of August.

and character of the third parliament of William.

Reviewing with impartiality the proceedings of the third parliament of William, we must allow that it is entitled to no small share of praise, not only on account of the beneficial measures which it adopted, but on account of the uncommon difficulties which it surmounted, in order to carry them into effect. The successful plans, pursued in the first session for extricating the nation from the great pecuniary distresses in which it was involved, exhibit examples of ingenuity, resolution, and perseverance, which reflect the highest honour upon those who devised and conducted them [27].

Some useful statutes were likewise enacted, for preventing fraudulent bankruptcies and abuses in privileges, and for regulating and extending the trade of the nation. But what, above all, must render the memory of this parliament precious to every friend of humanity and freedom, are its excellent amendments and regulations with respect to the laws of treason [28].

During the continuance of the third parliament, the whigs retained most of the ministerial offices, and succeeded in every measure in which they were united. In the question about disbanding the troops, they separated; and therefore it was carried against their leaders, as well as against the inclinations of the court. Lord Sunderland was at this time consulted by the king in private, more than any of his English subjects. To his instigation the plan of maintaining a standing army was ascribed; and so general an odium pursued him, that he found it necessary to resign his office of cham-

26th Dec. 1697.

[26] Journ. Commons, 21st May; 22d, 27th, and 30th June.

[27] Drake's History of the last Parliament.

[28] Ibid.

berlain,

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berlain, in order to evade the public disgrace of parliamentary censure [29].

Partial change in administration.

Sir William Trumbull was removed from being secretary of state, and Mr. Vernon, who had great experience in business by having been employed under the duke of Shrewsbury, was appointed to that office. This change was considered as an indication of the declining influence of the earl of Portland, to whom sir William Trumbull was affectionately devoted. It was believed that lord Sunderland and Mrs. Villiers, a lady to whom the king shewed some partiality, used their endeavours to alienate him from Portland, while the frank manners of his first page and secretary Van Keppel, now earl of Albemarle, gained upon the courtiers, and rendered him a more agreeable companion to his master in hours of relaxation. It is evident, however, from the important services in which the king continued to employ the earl of Portland, that he still entertained a very high esteem of the capacity and faithfulness of that nobleman; for he was sent ambassador to France soon after the establishment of peace. He was instructed to urge the removal of king James from St. Germains, and to solicit indulgence for the protestants in France; in neither of which he was successful. It is probable, that the principal object of his embassy was to enter into overtures concerning the partition of the dominions of Spain, which were soon after agreed upon between William and Lewis [30].

5th Dec. 1697.

The earl of Portland sent ambassador to France, 10th Jan.

From some incidents, which happened after the rise of parliament, it was evident that a misunderstanding still subsisted between the king and the princess Anne. He controlled her inclinations in the appointment of tutors to her son, the duke of Gloucester, and re-

[29] Burnet, 1698. Somers, Shrewsbury, Portland, Oxford, and Montague, were, at this time, united, to oppose the influence of Sunderland in the cabinet. A sincere friendship, however, afterwards seems to have taken place between Somers and Sunderland. See Letters in Hardwicke's Collection, vol. ii. nº 7.

[30] Compare De Torcy, vol. i. p. 26. with Kennet, vol. iii. p. 754.

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luctantly yielded, for the ſake of decency, to her choice of the inferior officers of his houſehold [31].

During the interval of parliament, William made a viſit to Holland, where he devoted his time to important negociations, the account of which I defer till the period when they tranſpired, and became the ſubject of public diſcuſſion.

The whigs prevail in the elections.

In the competition for elections, the whigs were ſupported by the intereſt of the court, the new Eaſt India company, and the ſtock-holders, who now formed a very numerous and powerful party in the nation. The weight of the landed intereſt, on the ſide of the tories, was not ſufficient to balance theſe advantages; and the majority in the new houſe of commons favoured the whigs.

Though the king had taken ſecret meaſures for preſerving the peace of Europe, by the firſt partition treaty, yet he was ſenſible that the ſucceſs of them, and the adherence of Lewis to the ſtipulations he had made, muſt depend upon the military force of England. This therefore was the principal object which he recommended to parliament, aſſembled for the diſpatch of buſineſs on the ninth of December one thouſand ſix hundred and ninety-eight.

The fourth parliament meets.

The army farther reduced.

The commons immediately voted, that all the land forces, exceeding ſeven thouſand, ſhould be paid off and diſbanded [32]; a meaſure not leſs mortifying to the king, than the language and arguments which accompanied every previous debate connected with it. His conduct in maintaining an army, contrary to the reſolutions of laſt parliament, was ſeverely cenſured: his attachment to the Dutch; his frequent viſits to the continent; his predilection to a foreign intereſt, were arraigned with bitterneſs and acrimony. Intimidated by the violence of oppoſition, the friends of the king ſtood ſilent, and ſeemed to abandon him in the moment of extreme diſtreſs. His miniſters were afraid to propoſe any ſcheme of mitigation or com-

[31] Burnet, 1698. [32] Journ. Commons, 17th December.

promiſe.

promife. The cenforious fpirit of the debate was transfufed into the refolution which the commons adopted; and it was determined, that the army fhould, for the future, confift entirely of his majefty's natural-born fubjects [33]. After an hard ftruggle with pride and inclination, the king affumed a compofed countenance, and gave his confent in perfon to the bill for difbanding the army [34]. The thanks which he received from both houfes, for his acquiefcence in this meafure, encouraged him to prefer a modeft, but earneft application to the commons, that fome method might be devifed for retaining the Dutch guards in his fervice [35]. This meffage only ferved to aggravate his mortification, and to enhance the triumph of oppofition, by producing an addrefs, which, under the form of an admonition, obliquely upbraided the king with the breach of his promife; for he was reminded of the words of his declaration, that all foreign troops fhould be fent back after the fettlement of the government [36]. The difbanding the army might be confidered as a patriotic meafure by thofe who promoted it; but the refufal of any indulgence to the affections of the prince, when the object was natural and honourable, can only be imputed to the ftubbornnefs and afperity of faction. The affront made a deep impreffion on his mind. Agitated at firft by vexation and refentment, he refolved to abandon the government of an ungrateful people, and to fpend the remaining part of his life in Holland. The entreaties of his friends, and the calm fuggeftions of reafon, reftrained the dictates of paffion, produced a prudent fubmiffion to neceffity, and faved the nation from confufion and anarchy [37].

The navy augmented.

The fears of thofe who agreed with the king, in thinking that England was too much expofed by the reduction of the army, were in fome meafure removed, by an augmentation of the naval eftablifh-

[33] Journ. Commons, 17th December.

[34] Burnet, 1698.

[35] Journ. Commons, 18th March.

[36] Ibid. 20th March.

[37] Letter of king William to Heinfius, Hard. Col. vol. ii. p. 362. and note at bottom.

ment.

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ment. Fifteen thouſand ſeamen were voted for the ſervice of the year, and the ſum of one million four hundred and eighty-four thouſand pounds was granted, in the courſe of this ſeſſion, for the maintenance of the fleet, diſbanding the army, and other expences of government[31]. This ſeſſion of parliament ended on the fourth of May one thouſand ſix hundred and ninety-nine.

Partial change of the miniſtry in favour of the tories.

The many evidences of the declining influence of the whigs, which had lately occurred, induced the king to transfer a conſiderable ſhare of executive offices into the hands of the tories. The earl of Jerſey was made ſecretary of ſtate, in the room of the duke of Shrewſbury; the earl of Pembroke ſucceeded the duke of Leeds as preſident of the council, and lord Lonſdale the earl of Pembroke as privy ſeal; Mr. Montague, againſt whom the tories diſcovered great perſonal animoſity, quitted the treaſury, and was ſucceeded as chancellor of the exchequer by Mr. Smith, and as one of the lords of the treaſury by Mr. Hill. This change of adminiſtration did not anſwer the king's expectation, by ſmoothing the current of public buſineſs. The zeal of the whigs for his ſervice abated upon every conceſſion to their antagoniſts, who grew more bold in oppoſition from the proſpect of their approaching aſcendency.

Second ſeſſion of the fourth parliament.

The king met the ſecond ſeſſion of the fourth parliament on the ſixteenth of November one thouſand ſix hundred and ninety-nine. He began his ſpeech with obſerving, that their common intereſt required a farther proviſion for the defence of the kingdom; and after recommending to the commons, to make good the deficiencies of the funds, and to diſcharge the debts contracted in the courſe of the war, he concluded with theſe words: "*Let us act with confidence in one* "*another*, which will not fail, by God's bleſſing, to make me an "happy king, and you a great and flouriſhing people."

However unexceptionable theſe expreſſions, or the ſentiment conveyed by them, yet they were made a handle of cenſure and re-

[31] Journ. Commons, 18th February, and March, April, paſſim.

proach

proach against the ministry. The commons, under the name of an address to the king, presented a remonstrance, complaining that it was their misfortune, that, after the ample provision made for his security, any mistrust of their affections should subsist; and that it would conduce to the *continuance and establishment of their mutual confidence*, if he would shew marks of displeasure towards all who misrepresented their proceedings [39]. This was a prelude to a more open and direct attack upon administration; with a view to which all the measures of opposition, in the course of this session, were concerted.

Measures of opposition directed against the whig ministers,

Their first attempt was founded upon a charge against captain Kid, who, having been dispatched by ministry to suppress the pirates upon the American coasts, betrayed his trust, and, to the disgrace of his employers, committed various piracies upon the English and foreign ships in the East Indies. The duke of Shrewsbury, the earls of Romney and Oxford, lord Somers, and sir Edward Harrison, had agreed to advance contributions for fitting out Kid, under the condition of receiving an adequate proportion of the profits arising from the captures of piratical ships. Partners in his success, a specious opportunity presented itself to the enemies of administration, for conjoining them in that guilt, of which he was now convicted [40]. The atrocity of the crime, without respect to evidence, contributed to blacken the reputation of those to whom it was imputed. To accomplish their public disgrace, it was moved in the house of commons, that the letters patent, granted to the earl of Belmont and others for piratical goods, were dishonourable to the king, against the law of nations, and the statutes of England, invasive of property, and destructive of commerce [41]. As it appeared, upon

[39] Journ. Commons, 1st December.

[40] Kid was apprehended, upon his return to New England, by the earl of Belmont, governor of New York, who had been chiefly instrumental in recommending him to the ministry. He was sent to England, tried, condemned, and executed.

[41] Journ. Commons, 4th Dec. Tindal, vol. iv. p. 23. State Tracts, T. W. vol. iii. p. 240.

investi-

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investigation, that Kid had been recommended to ministry, by the strongest attestations of his integrity, and of capacity for the business intrusted to him, and as the commission granted to him run in the common form, the motion was rejected by a great majority.

Motions, in the same spirit of asperity and party resentment, for addressing his majesty to dismiss bishop Burnet from being preceptor to the duke of Gloucester; and to remove lord Somers from his presence and counsels for ever, were only the occasion of fresh disappointment to the tories [42].

and personally against the king.

Other measures of opposition, more directly levelled against the person and inclinations of the sovereign, met with better success, and increased the popularity and triumph of the party which moved them.

Reduction of the navy.

The consolation which the king derived last session from the augmentation of the navy, in compensation for the reduction of the army, was now denied him; and when the supplies for the service of the year were granted, only seven thousand seamen were voted [43].

Revocation of the royal grants in Ireland.

But the affair which most deeply affected the king, was an act for resuming the Irish forfeitures [44]. His right to dispose of them was not only overruled, but his honour was wounded, by the rejection of a clause for reserving a third part of them to be bestowed by him, as the reward of eminent services to the nation. In order more effectually to prevent any opposition to this bill in the

[42] Journ. Commons, 13th Dec. 10th April.

[43] Ibid. 21st December.

[44] With a view to this measure, commissioners had been appointed, in the preceding session, to inquire into the value of the Irish forfeitures, and had reported them to amount to one million and half; though, upon farther investigation, it appeared that they were greatly over-rated. Journ. Commons, 15th Dec. Tindal, vol. iv. p. 27.

In answer to the objection against the bill, from its encroachment upon prerogative, it was urged, that his majesty had assured both houses, Jan. 1691, that he would not make any grant of the forfeited lands in Ireland, till there should be an opportunity of settling that matter in parliament. Although the king's friends insisted that he was not guilty of any breach of promise, because that parliament had omitted many opportunities of settling this business; yet others were of opinion, that he ought not to have taken any step in the disposal of the forfeitures, without the consent of a future parliament. Ralph, vol. ii. p. 841.

the houfe of lords, it was confolidated with that of the fupply for the fleet and army, and fent to the upper houfe at a late day of the feffion [45]. From thefe confiderations, the king, though with reluctance, found it expedient to reftrain the oppofition which it encountered, from motives of perfonal refpect to him; and confirmed it by his affent on the twenty-third of May.

The cuftomary licence of political affociations allows to every party, when it happens to be in oppofition, a certain latitude in waywardnefs and contention, which it may indulge, without lofing all credit for integrity and patriotifm. If the meafures, purfued in the courfe of this feffion, had been intended to produce no other effect, than to thwart the inclinations of the king, and to undermine the credit of his minifters, though perhaps in fome inftances they were neither ftrictly juft nor expedient, yet would they not have brought upon the authors of them any deeper ftain, than what is contracted almoft by every party fretted with depreffion and difappointment. But when the violence of oppofition precipitated them into a meafure, which breathed the fpirit of perfecution, and entailed a lafting difgrace upon the Britifh legiflature, it cannot be recited, by any friend to liberty and his country, without unaffected deteftation and abhorrence. Such was the fpirit and tendency of a bill, now introduced into the houfe of commons for preventing the growth of popery. It required, that all perfons, educated in the Roman catholic religion or fufpected to be of it, who fucceeded to any eftate, fhould take the oaths of allegiance and fupremacy, and the teft, as foon as they arrived at the age of eighteen; and if they did not, their eftates were to devolve to the next proteftant heir. All popifh priefts were to be banifhed, and adjudged to perpetual imprifonment if they fhould again return into England; and the reward of one hundred pounds was to be allowed to fuch perfons as fhould difcover and convict any of them [46].

Severe act againft Roman catholics.

[45] Journ. Commons, 7th March, 2d April. Journ. Lords, 4th April. Lords' Debates, vol. ii. p. 15.

[46] Journ. Commons, 7th February; 12th and 14th March. Journ. Lords, 18th March.

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An unfortunate coincidence of circumſtances united perſons, of different parties and ſentiments, in the ſupport of this bill: it paſſed unanimouſly in the houſe of commons, and by a great majority in the houſe of lords. The return of many Roman catholic prieſts into England, after the peace of Ryſwick, and their imprudence, by appearing in public and attempting converſions, excited a jealouſy of the king's having ſecretly conſented to indulgences, inconſiſtent with the ſafety of the proteſtant religion. An apprehenſion of the growth of popery generally prevailed; and ſeemed to derive confirmation from facts, ſet forth in a petition to the commons, by the clergy of Lancaſter, praying, that ſome effectual method might be uſed for preventing the inſolent behaviour and attempts of popiſh prieſts[47]. The influence of Roman catholic proprietors, in the courſe of the late elections, had infuſed a rancour into the breaſts of individuals, againſt whom it had been exerted, which now diſcharged itſelf under the maſk of religious zeal. There were a great many perſons, in both houſes, too much diſpoſed to eſpouſe every meaſure calculated to increaſe the uneaſineſs, and injure the reputation, of the king; and to ſuch baſe purpoſes this bill appeared excellently adapted. From the warm and ſteady attachment of William to the principles of toleration, they were perſuaded that he never would conſent to a meaſure founded in bigotry, and fraught with oppreſſion. But ſhould it be obſtructed by him, his principles would be brought under ſuſpicion; and he muſt forego all the merit he had acquired as the ſaviour and guardian of the proteſtant religion.

Reflections.

The embarraſſed ſituation of the king, the malignity of his enemies, and the depreſſion of his ſpirits, all furniſhed matter of apology for his acquieſcing in this bill. But there is not any perſon, moved by a juſt reſpect for his memory, and the honour of Britain, who can heſitate to ſay what he would have wiſhed him to have done, in this hard conflict between expediency and virtue. Had he firmly withſtood the

[47] Journ. Commons, 7th Feb.; 12th and 14th March. Journ. Lords, 18th March. Burnet.

ſpirit of perſecution, at the hazard of his repoſe and his crown, by uſing his negative to prevent a meaſure ſo cruel to individuals, and ſo reproachful to the legiſlature, he would have attained a luſtre of character, which, though intercepted by the prejudices of the times, muſt have been more permanent, than that which is acquired by the moſt brilliant atchievements of the general, or the ableſt negociations of the ſtateſman [48].

The intereſt of the whigs, it has been obſerved, had been declining ſince the end of the war, and the king had been perſuaded to bring many of the tories into office after the adjournment of parliament. From the general tenor of the meaſures purſued in the courſe of the ſecond ſeſſion, it did not appear, that adminiſtration had acquired any acceſſion of vigour, or the king any additional influence, from the experiment ſo far as it extended. The tories now found a favourable opportunity for puſhing their pretenſions to the excluſive poſſeſſion of miniſterial offices. Though the reſumption of the Iriſh forfeitures, in the firſt inſtance, infringed the influence and wounded the honour of the king, yet the intereſt of particular members of adminiſtration was alſo deeply affected by it, and other meaſures of oppoſition were directly levelled againſt the leaders of the whigs. Lord Somers was particularly the object of reſentment, and often attacked by the motions of the tories in the houſe of commons [49]. Hence it was plauſible to aſcribe the contentious oppoſition, of which the king complained, to an averſion for his miniſters, and to repreſent to him, that if he could be pre-

Addreſs and inſinuation of the tories for prevailing with the king to bring them into power.

[48] It is truly lamentable to obſerve, how much the ſpirit of party often contradicts the pure deciſions of cool judgment, and counteracts the generous feelings of the heart. Biſhop Burnet, who glories in being the friend of toleration, and who, as often as he has occaſion to deliver his ſentiments upon that ſubject, attains to an elevation of mind ſuperior to the age in which he lived, yet, in the diſcuſſion of this bill in the houſe of lords, he defended it, not only on the grounds of expediency, but juſtice. Burnet, 1699.

[49] Lord Somers had attracted the perſonal reſentment of the tories more than any of his partners in adminiſtration, becauſe he had adviſed the king to turn out of the commiſſion of the peace thoſe perſons, who refuſed to ſign the aſſociation occaſioned by the conſpiracy againſt him in the year 1696. Many of the tories were excluded and the diſſenters brought in.

 vailed

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vailed upon to dismiss them, his affairs would be carried on with smoothness and success[50]. The tories were fortunate in urging these representations by such agents, as, from their private connexions and political interests, entered into them with zeal; while their personal favour with the king disposed him to listen to them with a favourable ear. The earl of Albemarle, the earl of Jersey, brother to lady Orkney, and lord Sunderland, who made all parties by turns the dupes of his intrigues, concurred with the tories to bend the inclinations of the king to a change of administration[51].

Lord Somers removed from administration.

Their assiduous application, under the pretext of anxiety for his interest, brought the king, after much agitation, to adopt the resolution of removing lord Somers from his councils. No minister, in the whole course of his reign, served him with more invariable attachment, and with greater ability and faithfulness, than lord Somers had done. A grateful sense of his services made the king desirous of dismissing him in the most delicate manner, and of making his retirement appear to be the effect of his own choice. A manly respect to his reputation, fortified by integrity, as well as a regard to the interest of his party, rendered him obstinate against repeated importunities to consent to a voluntary resignation, lest it should be imputed to the impulse of fear, or the consciousness of guilt. Lord Jersey was at length sent to him to demand the seals, and they were surrendered with complacency into his hands. William afterwards discovered great compunction for this sacrifice, which he made to gratify a party, and lamented it at the close of his life[52].

17th April.

The removal of Somers was all the tories could obtain before the king's departure to Holland. He was probably still determined to adhere to his plan, of mixing parties, and of maintaining the superiority of the whigs. Two events occurred, during the recess of

4th July. Events contributing to a complete change of ministry.

[50] Burnet, 1700. [51] Hardwick's Collection, vol. ii. p. 439. Cunningham's History, vol. i. p. 183. [52] Ibid. p. 252.

parliament,

parliament, which introduced a material change into the political ſtate of England, and rendered it expedient, if not neceſſary, to throw the adminiſtration entirely into the hands of the tories.



Death of the duke of Glouceſter, 29th July.

By the death of the duke of Glouceſter, the proteſtant intereſt was expoſed to new dangers; for as he was the laſt proteſtant heir in the act of ſettlement, ſo his relation to the exiled family, his birth within the kingdom, and his talents, which were promiſing, united the attachment of every party, and enſured his peaceable acceſſion, at ſome future day, to the throne of England. To thoſe, who diſintereſtedly conſulted the ſafety of the conſtitution, it appeared of the higheſt importance, that the entail of the crown ſhould be extended in the proteſtant line, and that this ſhould be done without loſs of time, before the affections of the people began to fix upon another ſucceſſor, or ſuch political confederacies to be formed, as might afterwards prove too ſtubborn to yield to the authority of a ſtatute, or the true welfare of the nation. Such an extenſion of the act of ſettlement was agreeable to the principles of the whigs, and was their profeſſed deſire. It was impoſſible for them to withhold their concurrence with it, when it ſhould come under the diſcuſſion of parliament, without being for ever infamous for inconſiſtency and treachery. Though an oppoſition to the proteſtant ſucceſſion might have been expected from the tories out of power, the whigs ſeem to have been juſtly entitled to the honour of conducting a political tranſaction, which was conſonant to their principles, and neceſſary to the preſervation of that fabric of government which they had erected. There is reaſon, however, to believe, that the whigs, who were barely a match for the tories in any queſtion affecting their political competition, would never have been able to carry a meaſure of the higheſt national conſequence, in oppoſition to their antagoniſts ſeconded by the republican party, which wiſhed that the ſucceſſion might remain indeterminate and controverted. For breaking the joint force of the tories and republicans, no expedient ſeemed more effectual,

The importance of extending the proteſtant ſucceſſion.

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effectual, than to devolve the reins of government into the hands of the former. Whatever measures their prejudices might incline them to pursue, yet, when they came into office, the patronising the protestant succession would be found necessary to gratify the desire of the nation, and to retain the power they had acquired.

The state of foreign politics.

A change in foreign politics co-operated, with domestic events, to render the present state of England eminently critical, and to recommend the plan of conciliating that party, which might be expected to thwart the progress of the most urgent business. The death of the king of Spain could not fail, in one way or other, to increase the power of France. The only question was, What might be the most effectual method of rendering it as little as possible conducive to that effect? Despairing of his ability to restrain the ambition of Lewis by the awe of war, in the present temper of the English, William had entered into a treaty for dividing the territories of the Spanish monarch in such a manner, as seemed most effectual to diminish the advantages, accruing to France from his demise. To this treaty the principal members of the whig administration had been privy, and it was intended by the tories to render it the basis of their crimination [53]. But under what colour of argument could this be done?—not, surely, because it had yielded too little to France. Such a charge would have been an outrage to the prejudices of the people, and would have redounded upon those who brought it forward. It was asserted, that it had yielded too much; that the king and his ministers had been over-reached by Lewis; and that the interest of the empire, of the States, and of England, were betrayed.

Death of the king of Spain, 1st November.

The juncture of events gave new force to these objections, and put to the test the sincerity of the persons who urged them. The king of Spain died, and left a will, bequeathing his whole dominions to the duke of Anjou, second son of the Dauphin. By

[53] See Chapter XX.

accepting

accepting the will in behalf of his grandſon, Lewis diſſolved the reſtrictions to which he had conſented by the partition treaty. Thoſe, who had cenſured the treaty, could not conſiſtently contend for bringing him back to the performance of engagements contracted by it, and far leſs could they acquieſce in the tranſcendent and more dangerous augmentation of power, transferred to him by the teſtament of Charles.

It was evident, that, if the ſpirit of theſe arguments were purſued, they muſt terminate in demands and propoſals, which could not be obtained by the influence of negociation, or any bloodleſs means of coercion. Though the king was convinced, in his own mind, of the inevitable neceſſity of a war with France, in order to eſtabliſh ſuch limitations of her power as were eſſential to the independence of Europe, yet he wiſhed that the motion for it might originate with his people, and receive the approbation of every party. As a war, carried on with unanimity, could alone anſwer the purpoſe for which it was undertaken, ſo it was only by aſſigning to the tories the principal departments of adminiſtration, that he could hope to accompliſh this object. The conſiderations and circumſtances recited fully explain the motives, which induced the king to prefer the tories after the ſecond ſeſſion of his fourth parliament.

Diſſolution of the fourth parliament, 20th Nov.

The firſt meaſure he adopted, by the advice of his new miniſters, was a diſſolution of parliament, by which they hoped to obtain ſuch a majority of the repreſentatives as would give ſtability to their victory over the whigs[54].

[54] Before the meeting of the next parliament, lord Tankerville was made privy ſeal; ſir Charles Hedges, ſecretary of ſtate; lord Godolphin, firſt lord of the treaſury; and lord Rocheſter, lord lieutenant of Ireland. The laſt of theſe had now a great ſway over the counſels of the king.

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*Expectations of Lewis from the Succession of Spain,—foreseen with Anxiety by the Confederates.—Circumstances which inclined Lewis and William to enter into Treaty.—First Partition Treaty,—proves abortive by the Death of the electoral Prince of Bavaria.—Second Partition Treaty.—General Indignation in Spain upon hearing of the Partition Treaty.—The Sentiments and Wishes of that Nation become more favourable to Lewis.—Death and Will of the King of Spain.—The French King accepts the Will;—his Reasons for it.—He takes Measures for establishing his Grandson on the Throne of Spain.—The fifth Parliament meets.—The Whigs and the Tories reciprocally upbraid each other with Corruption.—Embarrassment of William.—Events favourable to his political Designs.—A Letter from Lord Melfort communicated to Parliament.—Effects of it upon the Temper of the People, and upon the Parliament.—Extension of the Act of Settlement.—Observations.—The Partition Treaty unpopular,—and censured by both Houses of Parliament.—Violence,—and Partiality of the Commons in their Proceedings with respect to the Partition Treaty.—The Lords offended at the Commons.—The People offended.—Kentish Petition.—Parliament prorogued.—William acknowledges the King of Spain.—Reasons for his doing so.—Resolutions of the Commons favourable to the King's Views.—The Nation impatient for War.—The King makes Preparation for it.—The grand Alliance.—The Heat and Emulation of Parties render the People more anxious for War.—Death of James.—His Son acknowledged by the French King,—which is resented by every Party in England,—and fatal to the Hopes of the Pretender.—Reasons for the King changing his Ministers and calling a new Parliament.—The sixth Parliament of William meets.—Supplies granted.—Bills for attainting and abjuring the Pretender.—Vicissitudes in the political Sentiments of the Nation since the Peace of Ryswick.—The Wishes of the King gratified.—His Death.*

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HAVING mentioned the partition treaty, it becomes necessary to give a more circumstantial account of that transaction, not only to support the observations already made, but to explain the measures

measures referring to it, which form so considerable a part of the history of the succeeding parliament.

1698.

Expectations of Lewis from the succession of Spain.

We have already seen, that the exorbitant ambition of Lewis was the cause of alarm to all the princes of Europe, and the motive of their union in the league of Ausphurgh. The undisguised efforts of that ambition upon the provinces of Spain, Holland, and the empire, excited indignation and resistance, which disappointed his success. The extension of power and territory, which he expected to derive from the Spanish succession, carried a more threatening aspect to the liberties of Europe, not only on account of the superior magnitude of the object, but also on account of its being palliated with the specious colours of natural right and justice. The languishing health of Charles the second of Spain portended a short life, and cut off every hope of heirs from his body. The Dauphin, who was the son of Maria Teresa, eldest daughter of Philip the fourth, stood first in the claim of lineal succession to the throne of Spain, upon the failure of male issue. By the solemn renunciation of Maria Teresa, and of her husband Lewis the fourteenth, ratified in the parliament of Paris, and by the testament of Philip the fourth, the succession of their issue to the kingdom of Spain was set aside[1]. By these several deeds the descendants of Margaret, daughter of Philip the fourth by a second marriage, were established the lawful heirs of the crown and dominions of Spain. Margaret was married to the emperor Leopold, by whom she had a daughter, who was the wife of the elector of Bavaria; so that the princess, and the electoral prince her son, on the failure of issue in Charles the second, according to the will of Philip, and the renunciation of Lewis, were the immediate heirs of the crown of Spain. The

[1] Variations de la Monarchie Françoise, tom. iv. p. 216, 217. Notwithstanding Lewis XIV. having abjured all claim to the Spanish succession, yet it is asserted, that his affections were early directed towards that object, and that his marriage with the eldest daughter of Philip IV. was suggested by Mazarene, as a safer and more certain method of gratifying his ambition, than war, or an open invasion of the territories of Spain, which would have alarmed all Europe. Cunningham, vol. i. p. 4.

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emperor ſtood next to his daughter and grandſon upon the right of conſanguinity to the royal family [2].

...re ſeen with anxiety by the confederates.

As the claim of ſucceſſion, founded on lineal deſcent, is the moſt obvious and natural, and as Lewis was not likely, notwithſtanding his oath, to part with ſuch an effectual inſtrument for aggrandiſing his family, the members of the confederacy looked forward with anxious forebodings to the death of Charles. From his declining health, that event was expected to happen during the continuance of the war; and it was hoped, that the united force of the confederate powers, in the ſcene and habit of action, would overawe Lewis, and prevent his violating the will of his father-in law, and his own engagements. The dread of his ambition, if the Spaniſh ſucceſſion ſhould open, after the powers intereſted in oppoſing him were ſeparated and diſarmed, rendered the emperor more backward in conſenting to the peace of Ryſwick; nor can we ſuppoſe, that the king of England, the States, and the princes of Germany, were indifferent to an event of ſuch general importance to Europe [3].

Circumſtances which inclined Lewis and William to enter into treaty.

However aſpiring and faithleſs the French king might be, and however ſpecious his claim of ſucceſſion to an ancient and extenſive kingdom, yet the jealouſy of the European princes, and the condition of his own ſubjects, impoveriſhed and depopulated by the late war, raiſed inſuperable obſtructions to his hopes of obtaining, for his own family, the entire power, and the undivided property, of the Spaniſh monarchy. On the other ſide, William, well aware of the uſurping ſpirit of his rival and deſirous to prevent the ſmalleſt increaſe of his power, was ſecretly mortified, upon finding himſelf incapable of acting agreeably to the wiſhes of his heart, and the dictates of ſound policy. From his late experience of the temper of the Engliſh nation, from the precipitancy with which all parties demanded the reduction of the army, and their growing averſion

[2] Torcy, vol. i. 1697. [3] Ibid.

to

to foreign connexions, he could entertain but little profpect of forming immediate alliances upon the continent, or of obtaining, from his parliament, fupplies of money and troops for maintaining a fuccefsful oppofition to the pretenfions of Lewis, upon the event of a vacancy in the throne of Spain *.

From the influence of thefe circumftances and motives, two princes, of oppofite interefts and affections, were moulded into the temper of conceffion and treaty. It was expedient for William to confent to the augmentation of the power of France in a certain

* The following expreffions in William's letters to the penfionary Heinfius, ftrongly indicate his apprehenfions of the ambition of Lewis, his uneafinefs from the prefent temper of the Englifh, and his motives and views for entering into the partition treaty.

" I find your thoughts entirely occupied " with the great ftorm which feems to hang " over our heads, by the likelihood of the " king of Spain's death. I think you per- " fectly comprehend this affair, and I fhould " conform myfelf alfo thereto. I only wifh " my power was fuch as that I could properly " fecond your hearty fentiments. As far as I " can penetrate into the opinions of moft " people here, there feems fo great an aver- " fion to fall again into war at prefent, that, " fhould France make any kind of plaufible " propofals of accommodation, they will here " be inclined to accept them, without con- " fidering much the fecurity of them; fo that, " in cafe *a war is to be the upfhot of this bufi-* " *nefs, I muft take my meafures fo as to bring the* " *nation infenfibly into it.*" Lord Hardwicke's Collection of State Papers, vol. ii. p. 340.

" I find people begin here more and more " to fear the death of the king of Spain, " being perfuaded that it will draw on a war; " to which they, in that cafe, feem refolved; " but would contribute little or nothing ex- " cept to the marine, and leave the war by " land to the republic and the other allies, " which they would not carry through; " though, on the other hand, *I fee no likeli-* " *hood of bringing the parliament to give money* " *fufficient to keep fo confiderable a body of troops* " *in the Spanifh Netherlands, as I had the laft* " *war; and without that I fee no poffibility of* " *defending them.*" Ibid. p. 342.

" As the affair now ftands, I think it lucky " that we have no farther engagement with " the emperor about the fucceffion; and it is " queftionable whether the grand alliance " fubfifts or not; for I am much afraid, that, " in cafe the king of Spain fhould now hap- " pen to die fuddenly, we fhould be obliged " to *come to an accommodation, as I do not fee* " *how, in the prefent fituation, we fhould foon* " *be able to put ourfelves in a condition to with-* " *ftand the too great power of France.*" Ibid. p. 343.

" I confefs, that, every thing confidered, " it is very queftionable which alternative to " chufe, and to negociate farther thereon; " but this is beyond a doubt, that when thefe " offers of France are public in England and " Holland, it *will be difficult to get them to* " *confent to a war, in cafe the king of Spain* " *fhould happen to die now, fo that meafures* " *muft be taken in confequence.*" Ibid. p. 347.

" Agreeably to this conftitution, it is im- " poffible to get the parliament to confent to " grant any money on an uncertainty, or for " a future time; fo that I can do nothing re- " lative to that, and God knows whether I " fhall not be obliged to reduce more troops, " conformably to the firft idea of parlia- " ment." Ibid.

 degree,

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degree, that he might prevent the farther augmentation of it; it was the intereſt of Lewis, to reſtrain the fond propenſions of his ambitious ſpirit, and to realiſe ſomewhat upon terms of compromiſe, rather than to hazard, not only, the loſs of new and ſubſtantial acquiſitions, but the interruption of his domeſtic tranquillity, and the ruin of his native dominions, by the precarious fortune of war.

First partition treaty. March. April. 15th Auguſt.

In the ſpirit of theſe arguments, general overtures, for a treaty about the ſucceſſion of the Spaniſh empire, originated with the court of France, and were firſt propoſed by Meſſrs. Pompone and Torcy, in the name of their maſter, to the earl of Portland, the Engliſh ambaſſador at Paris[5]. Count Tollard afterwards made propoſals on the ſame ſubject to king William, and Monſieur Bonrepos to the States at the Hague, and even ſpecified the particular conditions, upon which their maſter was diſpoſed to enter into a treaty for dividing the dominions of Spain[6]. When theſe were more fully digeſted and reduced to form, the king communicated them to ſecretary Vernon by the earl of Portland, and he wrote a letter with his own hand to lord Somers, deſiring his opinion and advice

[5] Hardwicke's Collections, vol. ii. p. 335. 342.

[6] From a critical peruſal of the ſeveral letters which were written by king William to Penſionary Heinſius, upon the ſubject of the partition treaty, it evidently appears, that the propoſal of it came from Lewis. Hardwicke's Collections, vol. ii. p. 333-4-5. 342. That William entered into it with diffidence, and proceeded with the moſt cautious ſteps, and that he was well aware of the inconveniences and dangers which attended it; but that theſe were outweighed by a conviction of the importance of the advantages, which England and Holland would probably derive from it: that in no ſtage of the buſineſs was he ever ſurpriſed or over-reached by the craftineſs of Lewis; a reproach, which ſome of his friends, ignorant of the vouchers lately publiſhed with reſpect to that tranſaction, have too haſtily admitted. Ibid. p. 339. line 12. p. 341. l. 19. p. 361. l. 16, &c. To ſum up all, in the conciſe and judicious remark of lord Hardwicke, who has favoured the world with the publication of theſe letters: "Though the "partition treaty ended unfortunately, and "diſpleaſed all parties, the diſintereſted and "upright intentions of king William, in pro- "moting it, are ſufficiently apparent from "theſe papers. Strong ſenſe, and an exten- "ſive view of the intereſts of Europe, par- "ticularly thoſe of the countries he governed, "are no leſs diſcernible, and will do honour "to the memory of a prince, who, with all "his defects, deſerves the veneration of every "good Engliſhman." Hardwicke's Collections, vol. ii. p. 333.

upon

upon the ſubject of them. It is, however, material to obſerve, that, as the treaty was ſigned in the name of William, before he received lord Somers's anſwer, this meaſure could not be aſcribed to the influence of that nobleman, nor to thoſe with whom he conſulted upon his having received the king's letter [7].

Proves abortive by the death of the electoral prince of Bavaria. 8th Feb. 1699.

Though this treaty proved abortive, by the premature death of the electoral prince of Bavaria, yet every motive, which induced the contracting powers to agree to it, ſtill ſubſiſted, and derived additional force from the political ſituation of France and England. The vigilance and importunity of the queen of Spain, in ſupport of the claim of her brother the emperor, operated, with viſible ſucceſs, upon the temper and counſels of her huſband. While the Germans were admitted into Catalonia, that they might have the advantage of being upon the ſpot when the throne of Spain ſhould become vacant, the French ambaſſador was hardly permitted to converſe with the miniſters upon buſineſs; and was coldly received by the nobility and attendants of the court. The ſtrong diſguſt, entertained againſt Lewis, was aggravated by the news of the partition treaty, which was a mortification to the feeling, and an inſult to the authority, of the Spaniſh monarch. In ſuch circumſtances, it would have been in vain to have entered into competition with the emperor, for the favour of that court, or the future ſucceſſion to that kingdom [8]. At the ſame period, the diſcontents of the Engliſh nation, the un-

[7] The treaty was ſigned on the 19th of Auguſt 1698. Lord Somers's letter was dated on the 28th of Auguſt. The ſubject of the treaty was communicated by lord Somers to the duke of Shrewſbury, lord Orford, Mr. Montague, and Mr. Vernon; ſo that lord Somers's letter, in anſwer to king William's, may be conſidered as containing their joint ſentiments.

The principal articles of the firſt partition treaty were, that the kingdom of Naples and Sicily, with all the places depending upon the Spaniſh monarchy ſituated on the coaſt of Tuſcany, or the adjacent iſles; and likewiſe all places on the French ſide of the Pyrenees, or the other mountains of Navarre, Olava, Biſcay, on the other ſide of the province of Guipuſcoa, ſhould be given to the dauphin, in conſideration of his right. That the crown of Spain, and all the other provinces belonging to it, ſhould deſcend to the electoral prince of Bavaria.

[8] Torcy, vol. i. 1698.

popularity

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1700.

popularity of the king, and the turbulent ſpirit of his parliament, were ſtill increaſing. Not only the army, but the naval eſtabliſhment was reduced: The internal influence of the crown, and the perſonal authority of William, were diminiſhed by that freedom of ſpeech, with which his conduct and meaſures were cenſured by the oppoſition in the houſe of commons; while, in the courſe of debates in both houſes, the name of Lewis began to be introduced with great reſpect; and ſome did not ſcruple to declare it as their opinion, that it was a matter of indifference to England, whether a French or German prince ſhould fill the throne of Spain[9]. Whatever might be the caſe with regard to England, yet, certainly, with Holland the alternative was widely different; and her intereſt, as might be expected, ſtrongly influenced the reſolutions and meaſures of William. A ſecond partition treaty was therefore ſet on foot, ſoon after the death of the electoral prince of Bavaria; and though retarded by the irreſolute, dilatory conduct of the emperor, who reſiſted every invitation to have any part in it, was at laſt ſigned by Lewis, William, and the States[10].

Second partition treaty.

The French king, we may believe from the circumſtances above mentioned, was no leſs ſincere in this ſecond treaty, than he had been in the firſt. It was impoſſible to render effectual the ſucceſſion of the dauphin, or any of his family, in oppoſition to the will of Philip the fourth, enforced by England, Holland, and the Empire. So anxious was Lewis to accompliſh this treaty, that he expreſſed great

[9] Tindal, vol. iv. p. 63.

[10] This treaty was ſigned at London on the 21ſt of February, and at the Hague 25th March, 1700. By it the kingdom of Naples and Sicily was given to the dauphin, and alſo the iſlands upon the Italian coaſt belonging to Spain, the city and marquiſate of Final, and the province of Guipuſcoa. The duchies of Lorrain and Barr were alſo to be adjoined to the kingdom of France, for which the duke of Lorrain was to receive Milan. The archduke Charles was to be heir to the kingdom of Spain and all the provinces belonging to it, out of, and in Europe, with the exceptions above mentioned. Three months were allowed for the emperor to accede to this treaty. The earneſt deſire of Lewis for obtaining Lorrain, ſeems to have been the cauſe of his conſenting to raiſe a ſon of the emperor to the throne of Spain. Hardwicke's Col. vol. ii. p. 366.

impatience upon William's delaying his ſignature; and, inſtead of forming any ſcheme to over-reach him, was uneaſy leſt he ſhould recede from the terms already agreed to. It is true, at the ſame time, that the former, familiariſed to double dealing, though he ſolicited this treaty with the purpoſe of adhering to it, wiſhed to make it the inſtrument of a ſeparation between England and Germany; but this crafty deſign did not eſcape the alert penetration of William, who guarded againſt it with the wiſeſt precaution[u]. After this treaty was ſigned, a combination of circumſtances reconciled the inclinations of the court and the people of Spain to the ſucceſſion of a ſon of France, and awakened the ambition of Lewis; while, at the ſame time, they undoubtedly tended to extenuate, if not to remove, the charge of his injuſtice and treachery in departing from the treaty.

General indignation in Spain upon hearing of the partition treaty.

The news of the ſecond partition treaty excited a general indignation among the Spaniards. The king was enraged at the contempt and indignity thrown upon him, by the interference of thoſe princes, who had preſumed to divide and parcel his dominions, as appeared moſt convenient for themſelves, without his advice or participation. Every ſubject of Spain felt the ſhame of conſcious degradation, in the approaching maiming and breaking of that empire, of which he was a member. Under this impreſſion, the claim, founded upon lineal deſcent, became more ſtriking and forcible, while wills and renunciations appeared violent infractions of the rights of

[u] The caution and penetration of William appear from the following expreſſions in his letters to Heinſius:

"The greateſt hardſhip that appears to me "in this buſineſs, is, the little reliance to be "made on engagements with France; and "her power will be thereby ſo much the more "conſiderable, that ſhe will be at liberty to "pay juſt as much regard to the treaties as "may ſuit her convenience, of which we "have had but too much experience." April 1, 1698. Hardwicke's Col. vol. ii. p. 339.

"I am entirely of your opinion, that this "intended anſwer of France is only, by mak- "ing the negociation public, to preſs us ſo "much the more to a concluſion, without the "emperor's intervention; and that France's "preſent object, according to my judgment, "is to ſeparate us by that means from that "party." Sept. 19, 1699. Ibid. p. 378.

nature,

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1700.

nature, and the rules of fucceffion adopted by every civilized ftate. The prefervation of the balance of power, the only apology for the officious interpofition of foreign ftates, was a principle too refined for popular apprehenfion; and the confequences of it but little interefting to thofe, who, however much the fecurity of other governments might be advanced by the treaty, were themfelves to fink in the fcale of empire. Superiority of ftrength concurred, with the claim of right, to make the fubjects of Spain wifh for the alliance of France; and in proportion as that power had been formidable when directed againft them, it appeared a more defirable fource of protection, and the more capable of averting the difgrace and ruin, with which they were threatened. The guilt of Lewis, in being acceffary to this treaty, was alleviated by the moderation he difcovered, in controlling thofe ample claims which he was entitled to prefer, under the right of lineal inheritance, and by the rules of common juftice. From fuch views, and the feelings which they excited, the refentment of Spain was gradually withdrawn from France, and transferred entirely to England and Holland [12].

The fentiments and wifhes of that nation become more favourable to Lewis.

In the mean while, the count Harrach, the ambaffador of the emperor at Madrid, talked of the partition treaty in a manner that was not lefs offenfive to the court, than as if the emperor had been actually concerned in it. He complained of the injury done to the archduke, and announced threats of revenge, as if that prince had been already feated upon the throne of Spain [13]. The queen became now more cold and referved to the Germans; their intereft declined apace, and the merit, which the emperor expected to derive from keeping aloof from the treaty, was effaced by his confident and indelicate anticipation of the crown, and the haughty demeanour of his ambaffador. The overbearing manners of the Germans in Catalonia became every day more difgufting to the people; and, at laft, excited a general averfion from any nearer alliance with a nation,

[12] Torcy, vol. i. 1699. [13] Ibid.

whofe

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whose insolence and oppression, it was to be feared, would grow intolerable, should one of their princes be exalted to the throne. The council, the nobility, the church, and the lawyers, at length all united in recommending a preference to the claim of France, as most consonant to natural justice, and most likely to preserve the unity, the dignity, and the peace, of the Spanish empire. The distress of the king, arising from bodily infirmity and disease, was daily increased by the emotions of fear, anger, resentment, and the fluctuating resolutions of a weak and disturbed mind. It seemed impossible, by any destination of his dominions, to gratify all the different resentments which the treaty excited; and to unite the inclinations of his people, the desire of his queen, and the future glory of his dominions. He consulted theologians, civilians, the nearest relations of the royal family; but still remained wavering and undetermined. A predominant superstition, augmented by the near and awful prospect of death, disposed him to indulge the hope of obtaining mental repose, perhaps, of providing some stock of merit, by surrendering his will to the dictates of the highest sacred authority. He consulted pope Innocent the Twelfth, who prudently gave his sanction to that destination of the territories of Spain, which ensured approbation and success, from the support of all classes of men in that kingdom, and which was most likely to enlarge his ecclesiastical domination [14]. Charles the Second of Spain made a will, on the second of October one thousand seven hundred, bequeathing his whole dominions to the duke of Anjou, second son of the Dauphin, and died on the first of November following.

Death and will of the king of Spain.

The king of France, with a prudish indifference, affected to hesitate about accepting the will, and at last professed to refer himself to the uninfluenced advice of his council. Independent of such authority, there were not wanting specious arguments for accepting it, and such as certainly rendered the conduct of Lewis, in this affair,

16th Nov.

The French king accepts the will.

[14] Torcy, vol. i. 1699, 1700.

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His reafons for it.

more excufable, than if the fole alternative had been his adherence to the partition treaty. But this was not the cafe. The profeffed object of the treaty was to maintain the balance of power among the weftern kingdoms of Europe; and to eftablifh their prefent peace and future independence. By a claufe in the king of Spain's will, the treaty of partition was rendered inadequate to this end, unlefs it had obtained the concurrence of the emperor. For it was exprefsly provided, that, if the king of France declined to take advantage of the will in behalf of his grandfon, the dominions of Spain, undivided, fhould defcend to the archduke Charles, the fecond fon of Leopold. As he had not acceded to the treaty, there was no bar to his claiming the benefit of the will to his family; and fuch a claim was incompatible with the plan and articles of the treaty. The balance of power, it was obferved, would be overfet by fuch an addition of territory to the houfe of Auftria; whereas it was afferted, that it would not be moved by the fucceffion of the duke of Anjou, whofe family, in the courfe of a few years, naturalized in Spain, would grow as indifferent to the peculiar interefts of France, as if not a drop of the blood of Bourbon had flowed in their veins. The queftion now affumed a different form; it was not, whether the will of the king of Spain, or the partition treaty, fhould take place? But it was, whether the archduke Charles, or the duke of Anjou, fhould fucceed to the crown and the entire empire of Spain? None of the princes of Europe, except the king of Portugal and the duke of Lorrain, had acceded to the treaty; and therefore were not bound to enforce the obfervance of it, if the parties more immediately concerned fhould difagree. Confidering the irreconcilable politics of the princes, nearly or remotely interefted in the Spanifh fucceffion, war feemed to be unavoidable; and the only alternative, left to the choice of France, was, whether fhe would adhere to the will, affifted by the whole force of Spain, in cafe it fhould be controverted or oppofed by other powers; or, whether

6 fhe

ſhe would fight againſt the emperor and Spain united, for, comparatively, a ſmall portion of territory. Thus, when the merits of the cauſe were impartially diſcuſſed, it appeared, that there was will againſt will; but the natural and inextinguiſhable claim of hereditary right was entirely on the ſide of France. Lewis even boaſted of his moderation in renouncing the treaty, by which his own dominions would have been extended, rather than to occaſion a war, which would involve all Europe in horror and deſolation [15].

Such was the ſubſtance of the arguments and expoſtulations contained in the memorials, tranſmitted by Lewis and his grandſon to the ſeveral courts of Europe. The emperor declared both againſt the treaty and the will: the States General remonſtrated againſt the meaſures taken by France, for carrying the will into execution; and declined, at firſt, to acknowledge the duke of Anjou as king of Spain, under the pretext of conſulting the ſeveral provinces and cities united with them. To the king of England alone, no immediate notification was made of the acceſſion of the duke of Anjou to the throne of Spain, as if it had been intended to detach the States from his counſels, and to remove the opportunity of his interference, which they knew would prove adverſe to their wiſhes [16].

He takes meaſures for eſtabliſhing his grandſon on the throne of Spain.

In the mean time, the preparations and meaſures of the court of France, for eſtabliſhing the duke of Anjou on the throne of Spain, were carried on with expedition and vigour, and became every day more formidable to their neighbours. The new king left France with a ſplendid retinue, and entered into his dominions on the fourth of December one thouſand ſeven hundred. The troops of France were introduced into the Spaniſh garriſons in the Netherlands and Italy; and her fleets were ſent to Cadiz and the Weſt Indies. Lewis entered

[15] Memorial for his Chriſtian Majeſty, 4th Dec. 1700. Somers's Collection, vol. viii. p. 275.

[16] Some hiſtorians impute this omiſſion to the deſire of the new king of Spain, who, in the zeal of his friendſhip for James, had promiſed that he never would acknowledge any other king of England. Burnet, 1701.

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into treaties with the king of Portugal, the duke of Savoy, the duke of Mantua, and ſeveral of the princes in Germany [17]. He chaſtiſed the Dutch for their indetermined conduct, by making priſoners of all their troops, which were ſtationed in the garriſons of the Spaniſh Netherlands [18]. Unprepared for war, while they were threatened with an immediate invaſion by the united forces of two potent kingdoms, the States were compelled to adopt the reſolution of writing a letter to Lewis, acknowledging his grandſon king of Spain [19].

The fifth parliament meets.

Such was the ſtate of Europe at opening the fifth parliament of William, on the tenth day of February one thouſand ſeven hundred and one [20]. I have entered more minutely into the circumſtances of the partition treaty, not only on account of its connexion with the interior policy of England at that period, but on account of its giving riſe to a war, the moſt extenſive and intereſting; and producing political aſſociations, which ſtill continue materially to affect the condition of our own country, and of foreign ſtates.

The whigs and the tories reciprocally upbraid each other with corruption.

The firſt proceedings of parliament afforded matter of reciprocal invective and crimination. The whigs were accuſed of new inventions of bribery, and the groſſeſt acts of corruption; while they complained, in their turn, that a partial majority overlooked evidence, which would have fixed the guilt, maliciouſly imputed to them, upon their adverſaries; and, in order to expreſs their deriſion of the affected purity of the tories, it was remarked, that ſir Edward Sey-

[17] Torcy, vol. i. 1700.

[18] The States, after the peace of Ryſwick, were permitted to keep poſſeſſion of ſome of the Spaniſh towns in Flanders, for a conſiderable debt which the crown owed them. The king of France offered to the council of Spain to pay the money, that they might be freed from the Dutch troops.

[19] Cole, Burnet, 1701.

[20] The commons made choice of Mr. Harley to be their ſpeaker, which was conſidered an evidence of his being entirely devoted to the intereſts of the tories. He was deſcended from a family which had been eminent among the preſbyterians, was educated in that religion, and originally connected with the whigs, who imputed his deſertion to ambition, becauſe he thought he was not enough conſidered by them. Tindal, vol. iv. p. 181.

Mr. Harley acknowledges himſelf to have been originally a whig, and to have gone over to the tories, becauſe the whigs had deſerted the principles which they profeſſed, and the tories had aſſumed them. Faults on both Sides. Somers' Collections, vol. xv. p. 291.

mour,

mour, who had himſelf ſuperintended corruption under different princes, and in ſucceeding parliaments, was now the moſt active inſtrument in expoſing it; and received the thanks of the houſe for his ſervices [21].

Some of the whig hiſtorians have aſſerted, that a deſign was formed by the tories to open the buſineſs, in the houſe of commons, with an addreſs to the king, praying him to acknowledge the duke of Anjou as rightful king of Spain [22]. Diſtruſtful, however, of the information of party, we ought to found our opinions upon facts which cannot deceive. Relying upon them, we ſhall find ſomewhat to commend, and enough to cenſure, in the conduct of the tories, during this ſeſſion of parliament, without adopting either the extravagant panegyrics of their friends, or the unfounded ſuſpicions ſuggeſted by their antagoniſts. Fortunate, however, they certainly were, in being placed at the helm of power, when they enjoyed the opportunity of proſecuting meaſures, which eſſentially contributed to the proſperity of their country, at that period, and in future ages; and which, perhaps, they could not have neglected, without loſing for ever all credit for fidelity and patriotiſm.

The king mentioned the death of the duke of Glouceſter in his ſpeech to parliament, and recommended in general ſuch meaſures as would be moſt conducive to the intereſt and ſafety of England, the preſervation of the proteſtant religion, and the peace of Europe. The commons, in their addreſs to the throne, promiſed to take ſuch meaſures as might beſt conduce to the objects recommended by his majeſty. A diviſion took place upon the article relative to the peace of Europe; but it was carried by a conſiderable majority [23].

Embarraſſment of William.

William had now a difficult part to act. He was ſecretly provoked at the violation of the partition treaty: he dreaded, more than ever, the enlargement of the power of France by the acceſſion of the Spaniſh monarchy; and he was perſuaded, that the only

[21] Ralph, vol. ii. p. 926. [22] Burnet, Tindal. [23] Journ. Commons, 14th Feb.

method

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method of preventing this, was a new league between England, the Empire, and the States. To the few, to whom he could ſafely unboſom himſelf, he did not ſcruple to expreſs his ſolicitude about obtaining the conſent of the Engliſh parliament to a war[24]. But ſuch was his experience of the humour of the nation, and his diſtruſt of every party, that an open declaration of his opinion would only have tended to obſtruct his purpoſe. He affected therefore, at this time, an indifference with reſpect to public meaſures, rather diſcouraging to his beſt friends, who began to think, that indolence, increaſing with bodily infirmity, and the repeated affronts he had received from oppoſition, had at length wearied out his active ſpirit, and extinguiſhed that patriotic flame, which had formerly ſignalized his character and captivated the admiration of Europe[25]. The patriotic flame, though covered for a ſeaſon, ſtill burned with unabated ardour, and his active ſpirit, though reſtrained by the dictates of prudence, was ready to ſhow itſelf upon the firſt opportunity of uſeful exertion.

Events favourable to his political deſigns.

Having often experienced unexpected viciſſitudes of fortune, he truſted that ſome happy incident might yet awaken a jealouſy of France; and, in the moſt effectual manner, accompliſh thoſe objects, which he believed to be moſt conducive to the intereſt of Europe. In this expectation he was not diſappointed. By an event, which happened at the beginning of this ſeſſion, the whole train of public meaſures tended to pave the way for a new continental alliance; and by the death of James, which occurred in the courſe of a few months after, both the alliance and the war were carried into

[24] "It is the utmoſt mortification to me in "this important affair, that I cannot act with "the vigour which is requiſite, and ſet a "good example; but the republic muſt do it, "and I will engage people here, by a prudent "conduct, by degrees, and without their per- "ceiving it."

"If I followed my own inclination and "opinion, I ſhould have ſent to all courts, to "incite them to vigour; but it is not becom- "ing, as I cannot ſet a good example, and I "fear doing more harm than good; not being "able to play any other game with theſe "people, than engaging them impercep- "tibly." Extracts from William's Letter to Heinſius. Hardwicke's Collections, vol. ii. p. 394, 395.

[25] Tindal, vol. iv. note, p. 320.

effect,

effect, by the importunate, and almost unanimous desire of the people of England.

1701. A letter from lord Melfort communicated to parliament;

The first of these incidents now comes under our consideration, according to the exact order of time. The same day the king received the address of the commons, he communicated, to both houses of parliament, an intercepted letter from the earl of Melfort to his brother, the duke of Perth, which discovered danger more imminent and alarming to England, than what was apprehended merely from the late increase of the French power. The earl of Melfort describes the preparations for war carrying forward in France, the strength of her fleet, and other circumstances, which rendered the present juncture most favourable for the restoration of James. But, what above all made an impression agreeably to the views of William, he mentions how much their hopes of success were cherished by the defenceless state of England, and the delays and debates which must take place, before she could be in a condition to act, if she had the inclination to do it [26].

effects of it upon the temper of the people,

The subject of this letter spread an immediate alarm among the people, excited a vigilant jealousy of the proceedings of parliament, and constrained the ministers to turn the course of their measures towards war and foreign politics. Every delay in business, every debate, which appeared extraneous or prolix, was considered as a progressive fulfilment of the hopes expressed by Melfort, and a compliance with that plan, which was carried on by a malignant faction at home, in concert with the natural enemies of their country. These apprehensions were the more confirmed by the rumour of a French plot; printed accounts of which were now hawked about in the streets of all the most considerable towns in England [27].

The French minister, de Torcy, complained to lord Manchester of these proceedings, as tending to engender animosity between the two kingdoms. This complaint produced an investigation of evi-

[26] Journ. Commons, 17th February.

[27] Historians of the Times.

dence,

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'dence, and terminated in confirming the authenticity of Melfort's letter; nor could the alarm which it excited be allayed by the French king's open disavowal of all connexion with Melfort, and sending him into banishment [28].

and upon the parliament.

The influence of these events was conspicuous in the resolutions of the commons, formed upon the consideration of a memorial transmitted by the States to king William. They now resolved to address his majesty, that he would be pleased to enter into such negociations, in concert with the States and other powers, as might effectually conduce to the mutual safety of England and Holland, and the preservation of the peace of Europe [29]. The expressions in the address of the lords was still more favourable to his wishes; for they desired him to enter into alliances with all the princes and States, who were willing to unite for the preservation of the balance of Europe [30]. In consequence of these addresses, proposals were transmitted, by the English and Dutch ministers, to the court of France, and rejected on account of the extent of the demands contained in them [31].

Extension of the act of settlement.

The same fortunate coincidence of external events operated in accomplishing a measure more decisively and permanently conducive to the prosperity of Britain, than the alliances into which she was about to enter. The death of the duke of Gloucester impressed a general conviction of the necessity of extending the succession of the crown in the protestant line; and a suspicion of the tories being averse to that measure increased the public anxiety upon their being raised to the administration. While they were constrained to gratify

3d March.

the earnest expectation of the people by bringing in a bill for entail-

[28] Letters of Manchester and Vernon.

[29] Journ. Commons, 20th February.

[30] Journ. Lords, 13th February.

[31] His christian majesty was required to withdraw all his troops within a short limited time from the Spanish Netherlands, and not to be allowed afterwards to send any thither; while it should be permitted to the king of Great Britain, and the States General, to send troops for the defence of the Netherlands whenever they should be lawfully required. This requisition was complained of by the French court as unreasonable and partial. Tindal, vol. iv. 213. 216.

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ing the crown upon the illustrious house of Hanover, it was remarked by their antagonists, that the restrictions and conditions, which they proposed, were calculated to frustrate its success[32]. As the settlement of the crown presented the most favourable opportunity for introducing new limitations upon the prerogative, by their merit and tendency, the intentions and spirit of those who moved them must be tried. Some of them, undoubtedly, implied a censure upon the conduct of the king; the propriety of others has been ascertained, by the adoption of them at a later period, with the consent of every party. There can be little doubt, but such of the tories, as adhered to the interests of the princess Anne, gave their cordial support to the extension of the act of settlement. Her immediate succession, on the demise of the king, was rendered more secure by the settlement of the crown upon a protestant of foreign extraction, than if it had been left open to a rival; who, if entitled, or even likely to succeed on the event of her death, might have urged the claim of being preferred to immediate possession upon the principles of expediency and justice[33].

In

[32] Burnet. These restrictions were, 1. That whoever shall hereafter come to the possession of the crown of England, shall join in communion with the church of England. 2. That if the crown should descend to a person who was not a native of the kingdom, the nation should not be obliged to engage in war for the defence of his foreign dominions, without consent of parliament. 3. That he should not go out of the dominions of England, Scotland, or Ireland, without consent of parliament. 4. That all matters relating to the government of the kingdom, cognizable in the privy council, should be transacted there, and all resolutions taken thereupon should be signed by such of the privy council as advised and consented to the same. 5. That no person born out of the kingdom should be of the privy council, or a member of parliament, or enjoy any office, or have any grants of lands from the crown to himself, or others in trust for him. 6. That no person, who enjoyed office or pension from the crown, should be capable of serving as a member of the house of commons. 7. That the judges should hold their places during good behaviour, but might be removed by an address from both houses of parliament. 8. That no pardon under the great seal be pleadable to an impeachment of the commons. Journ. Commons, 12th March.

[33] The address of William, in availing himself of the interest of the princess Anne to bring about the succession to the crown in the protestant line, is thus described by a contemporary author: "That he might prevail "with the princess Anne to agree to it, he "was not displeased to hear a rumour spread "as if he was about to make a cession of the "crown to another. He would also hold dis"course in public concerning James and his



"son,

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1701.
Observations.

In the meaſures now recited, the houſe of commons acted in conformity to the inclinations of the court. Their caution, in not ruſhing precipitately into a continental war, and the bill of ſucceſſion, with a few of the reſtrictions annexed to it, certainly deſerved the gratitude of the nation. They diſcovered uncommon diligence and accuracy in their inquiries concerning the ſtate of the revenue and public accounts, in ſupporting the credit of the exchequer, and in having recourſe to every fair plan of œconomy for relieving the burdens of the nation [34]. But their conduct and proceedings, with reſpect to the partition treaty, were marked with partiality, animoſity, and perſonal pique, which brought diſgrace upon themſelves, and retarded the moſt important public buſineſs.

The partition treaty unpopular,

The partition treaty was conſidered, by the generality of the people, as departing from the ſpirit of former alliances, as exhibiting a ſervile complaiſance to the French court, and as eminently contributing to the enlargement of that power which it had profeſſed to circumſcribe. The ſecrecy with which the king had conducted that buſineſs, though neceſſary to its ſucceſs, was likewiſe extremely offenſive, as it ſeemed to denote a want of confidence in his Engliſh ſubjects. So far, both houſes proceeded, upon ſpecious and popular grounds, to expreſs their diſapprobation of it, and ſuch was the ſubſtance of the arguments contained in their addreſſes to the throne [35].

and cenſured by both houſes of parliament.

Though the partition treaty was, from its commencement to its concluſion, a meaſure of the king's own contrivance and direction, yet, from a prudent accommodation to circumſtances, he avoided

" ſon, and inquire of thoſe who came from " abroad concerning the parts and perſon of " the boy, and whether he was not a pro- " miſing youth. The princeſs Anne hear- " ing of theſe things, and fearing leſt king " William ſhould reſign the kingdom, and " reſtore it to king James and his ſon, eaſily " agreed with him about the ſubſtitution of " heirs; but this agreement was neceſſary to be " kept ſecret, till the opinions of the members " of parliament could be known." Cunningham, vol. i. p. 185.

[34] Journ. Commons, February, March, paſſim.

[35] Journ. Lords, 20th; Journ. Commons, 24th March.

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any interpofition to avert the cenfure with which it was threatened. It is probable, that he was not difpleafed, fecretly, with that inconfiftency into which the tories were running, by forming the moft violent purpofes of refentment againft his former minifters, while, at the fame time, they were averfe to his darling meafure of entering into a war with France. The crimination of the treaty was, by implication, an acknowledgment of the neceffity of the war. Every argument, calculated to impeach the one, was, in effect, an argument for approving of the other; and there is no doubt, that the meafures of the commons, though purfued to extremes which the king did not forefee, contributed to render a foreign war unavoidable, even in the opinion of that party from which he dreaded an oppofition to it.

Violence

But to return to the progrefs of thefe. Though both houfes concurred in expreffing their diffatisfaction with the partition treaty, yet their different motives for doing this foon appeared by their fubfequent meafures. The lords evidently had no farther defign, than to teftify their difapprobation of a meafure apparently ambiguous, or impolitic, in the apprehenfion of thofe, who were but partially informed with refpect to the grounds upon which it had proceeded, and to render fuch a difapprobation the bafis of more vigorous meafures. The commons wanted to make their refolutions the inftrument of gratifying the pride and refentment of a party, of haraffing the king, and difgracing the leaders of a whig adminiftration. The oppofition of the former was confined to the treaty, that of the latter was levelled againft the perfons who made it. Hence, in the courfe of the debates in the houfe of commons, the treaty was not only condemned, but the perfons who were acceffary to it were inveighed againft in the moft opprobrious language; and it was finally refolved, that they fhould be impeached of high crimes and mifdemeanors. The moft glaring partiality and impatient refentment, upon the very commencement of this bufinefs, conveyed an unfavourable

and partiality of the commons in their proceedings with refpect to the partition treaty.

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vourable impression of the party by which it was agitated. In the list of the impeached, the names of some were omitted who were known to have been accessary to the treaty, as much as any of those whose names were inserted; but they had expiated their guilt by joining the party of the accusers[36]. Not satisfied with a fair issue of their trials, the commons grasped at the anticipation of punishment, and addressed his majesty to remove the earl of Portland, lord Somers, Halifax, and Orford, from his presence and councils for ever[37]. The lords felt the honour and dignity of their order infringed by such a precipitate and violent attack upon some of their members; they presented an address to the king, praying him not to pass any censure against them, till they were tried upon the impeachments depending in the lower house[38]. The subsequent proceedings of the commons contributed still more to inflame the animosities already kindled between the two houses. Lord Haversham, in a conference, had reflected upon the partiality of the commons, because they had impeached some, and not others, who had been guilty of the same crimes. The commons voted, that he should be charged for reproaches reflecting upon their honour and justice; and that the lords should be desired to proceed against him, and to inflict such punishment as his high offence deserved[39]. They even seemed to encroach upon the judicial rights of the peers, by attempting to prescribe the time, the order, and other important regulations, relative to the trials of the impeached ministers. Messages passed between the two houses; the questions in dispute were argued fully

The lords offended at the commons.

[36] They resolved that the earl of Portland, by negotiating and concluding the treaty of partition, was guilty of a high crime and misdemeanor, and lodged an impeachment against him in the house of peers; and yet the earl of Jersey, secretary of state and privy counsellor, who signed the said treaty, stood unimpeached, and continued at the head of affairs.

The lords Somers, Orford, and Montague, now lord Halifax, were impeached for advising the treaty 1698; and yet secretary Vernon, and sir Joseph Williamson, who were privy to it, stood unimpeached. Answer of Lord Haversham. Somers' Col. vol. viii. p. 384.

[37] Journ. Commons, 15th April.

[38] Journ. Lords, 16th April.

[39] Journ. Commons, 13th, 16th, and 20th June.

at ſeveral conferences; but the reſult was, an obſtinate adherence to the principles and opinions which they had ſeverally adopted [40]. The lords, provoked by the obſtinacy, inſolence, and dilatory proceedings, of the commons, and convinced of the frivolous grounds of the charges of impeachment, fixed a day for the trial of lord Orford. Upon the commons repreſenting, that, from the nature of the evidence, it would be moſt proper to begin with the trial of Somers, the lords readily complied, and fixed an earlier day for it [41]. The commons, however, refuſed to appear; the lords proceeded in the trial, and acquitted Somers. The commons remonſtrated; the lords notwithſtanding proceeded in the trial of lord Orford; and, finally, on the laſt day of the ſeſſion, diſmiſſed the ſeveral impeachments, becauſe the commons neglected to proceed in their charges [42].

The people offended.

The people did not remain indifferent ſpectators during this period of warfare between the two houſes. The ſucceſſion of the duke of Anjou to the dominions of Spain rouſed their wonted jealouſy of France, and inſpired them with ſentiments and wiſhes congenial with thoſe of the king. The virulence of cenſure pointed againſt him, in the courſe of the debates in the lower houſe, diſguſted the ſober-minded, and awakened compaſſion [43]; while it was but too obvious, from the perſonality with which the impeachments were introduced, and the contention and acrimony with which they were conducted, that they flowed from the narrow and vindictive ſpirit of faction. Public buſineſs was interrupted, and the great objects deſired by the people were neglected. The impatience, excited by theſe impreſſions, was boldly expreſſed, in a petition delivered to the houſe of commons, in the name of the gentlemen,

Kentiſh petition. 8th May.

[40] Journ. Commons, April and May, paſſim.

[41] Journ. Lords, 31ſt May and 3d June.

[42] Journ. Lords and Commons, 17th June; and Journ. Lords, 24th June.

[43] Mr. Howe ſaid in parliament, that the king's grants were ſquandered away upon buffoons and harlots, and called the partition treaty a felonious treaty of three thieves. Cunningham, vol. i. p. 208.

juſtices

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justices of peace, grand jury, and freeholders, of the county of Kent. The commons enraged, voted the petition scandalous and seditious, and resolved that the gentlemen who promoted it should be taken into custody[44]. The indignation of the people became more fierce. A memorial, signed Legion, which was left in the chair of the speaker, charged the lower house with illiberal and unwarrantable practices, and branded the whole party of the tories with the most dangerous principles and designs. The embroiled state of the commons with the people, as well as their disagreement with the house of lords, obstructed all public business, and rendered it necessary to prorogue the parliament.

Parliament prorogued. 24th June.

William acknowledges the king of Spain. 13th April.

During the continuance of the session, William received a letter from the new king of Spain, intimating his accession; and, by the advice of the privy council, an answer was returned acknowledging his title. This transaction appeared not a little mysterious, at a time when William was forming measures hostile to the interests of Philip, and the commons were beginning to make concessions favourable to their accomplishment and success. Some have considered this as an act of political address on the part of the king; that, by yielding this point to his council, he might procure a grateful return, and bring them, by gentle means, to enter into those alliances which he was projecting, with a design to abridge the power of the house of Bourbon. Setting aside these views, we are at no loss to perceive strong reasons, arising from the situation of foreign affairs, for yielding a temporary sanction to a breach of the partition treaty. In order to maintain the acquisition of the Spanish empire to his grandson, it appeared to Lewis an object of the first importance to divide the States from England. With this view the intimation of his grandson's accession was made to the former, and withheld from the latter; he attempted to negotiate with the one, as detached from the counsels and interests of the other; and he instructed his

Reasons for his doing so.

[44] Journ. Commons, 8th and 14th May. History of the Kentish Petition.

ambaſſadors to refuſe the admittance of the Engliſh into their conferences with the agents of Holland. The States found themſelves under the neceſſity of acknowledging the title of Philip, in order to recover their troops detained by Lewis in the Spaniſh Netherlands. Advantage was taken of this meaſure by Lewis, to treat with the States as ſeparated from England, and as precluded from entering into any meaſures with her, inconſiſtent with thoſe engagements which were implied in their acknowledgment of his grandſon. To obviate this objection; to place England and Holland preciſely in the ſame political poſture, with reſpect to Spain; and to maintain unity of ſentiment and intereſt between them, furniſhed the moſt forcible arguments for William's acknowledging the title of Philip [45].

Reſolutions of the commons favourable to the king's views.

The king, notwithſtanding all the affronts and reproaches he had endured, in the courſe of the ſeſſion, had the ſatisfaction to ſucceed in thoſe objects, which he deemed moſt important to the nation and his own honour. The negotiations he had already carried on in conjunction with the States were approved of; the army was augmented; liberal ſupplies granted; the faith and honour of both houſes pledged to ſupport whatever alliances he ſhould think proper to enter into, for controlling the ambition of France; for ſecuring the juſt claims of the houſe of Auſtria, the ſafety of the States, and the peace of Europe [46]. For the fulfilment of theſe engagements, he derived a ſtronger aſſurance from the temper and ſentiments of the people at large. Complaints of taxes, and averſion to continental connexions, which began to ſpread after the peace of Ryſwick, now gave way to a ſpirit of indignation againſt France, rouſed by the

The nation impatient for war.

[45] Cole. Ralph, vol. ii. p. 902. In order to vindicate the conduct of William in this inſtance, we need not have recourſe to that fineſſe which is tolerated in political tranſactions. The great purpoſe of the public meaſures, now purſued by him, was to abridge the power of France, not to dethrone the king of Spain. That reſolution was afterwards taken, in concert with the emperor; becauſe Lewis oppoſed thoſe demands, which were ſpecified by William, the emperor, and the States, for maintaining the peace of Europe.

[46] Journ. Commons, March, April, May, paſſim.

late

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late acceffion of her power and her fuppofed treachery in the breach of the partition treaty. Wearied with the tedious progrefs and uncertain iffue of negociations and treaties, the nation became eager for the commencement of hoftilities, and eftimated the merits of the prince and his minifters, by the tendency of the meafures which they purfued to forward that object.

The king makes preparations for it.

The king was now relieved from that referve, which prudence had hitherto impofed upon him. His pre-eminent talents for negociation and for military affairs once more found a free fcope for action; and were exercifed with vigour and affiduity, feldom exemplified in one depreffed with bodily infirmities, and the profpect of approaching diffolution. He went to Holland; he reviewed the troops; he gave all neceffary directions for the recruiting of the army, the reinforcing of the garrifons, and for the repair and defence of the fortifications; he dictated the memorials prefented by the ambaffadors of England and the States to the court of France; and he negotiated with the feveral princes of Europe to foment a jealoufy of her power, and to ftrengthen the combination for oppofing it [47]. Under his aufpicious influence fome of the neighbouring princes were prevented from yielding to the intrigues of France, and kept in a ftate of neutrality; others were affociated with England and Holland; and that grand alliance between the emperor, king William, and the States, the bafis of the war, was brought to perfection [48].

The grand alliance. 7th Sept.

In the mean time, memorial after memorial paffed between the courts of England and France, without any tendency to bring matters to an accommodation. As the French king formerly complained

[47] Monthly Mercury, September, October, 1701.

[48] The moft important articles in this treaty were, that the allies fhould procure fatisfaction to the emperor in the Spanifh fucceffion; that they fhould endeavour to recover the Spanifh Netherlands to be a barrier between Holland and France; and the duchy of Milan, Naples, Sicily, the lands and iflands upon the coaft of Tufcany belonging to the Spanifh dominions, to the emperor; that Britain and the States fhould retain whatever places they conquered in the Weft Indies.

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of the States for acting in concert with England, so he now complained of their introducing the claims of the emperor; and, after many remonstrances to this purpose, recalled monsieur D'Avaux, his ambassador, from the Hague. The mask was now thrown aside by all parties: the English and Dutch ambassadors withdrew from Paris; and monsieur Poussin, the agent for the French king, was ordered to leave England.

13th Aug.

30th Sept.

The heat and emulation of parties render the people more anxious for war.

During the period of these transactions, the war of parties in England was waged with increasing asperity and violence. Whatever the concealed motives and intentions of any party of men, in a free country, may be, yet they must ever endeavour to hold forth such representations of them, as are consonant to the prejudices of the people. Both parties, in their own defence, exhibited to the public such accounts of their own conduct, in the last session of parliament, as co-operated to cherish the national spirit of antipathy to France, rather than materially to answer their separate views of obtaining a preference in the confidence and affections of the people. They reciprocally appealed to their actions as the test of their sincerity. The whigs complained, that the tories wished to protract time, to trifle, to compromise, and finally to evade war with France. The progress of the French in Flanders, and their forwardness in warlike preparations, were adduced as fatal effects and incontrovertible evidences of those charges. The tories not only boasted of the efficient measures they had pursued in the last session of parliament, the supplies they had granted, the treaties they had authorised, the forces they had raised; but they pledged themselves for the vigour and celerity with which they were determined to pursue the reduction of the French power[40]. To this emulous application for public favour, as well as to an intervening event of great moment, it was owing, that both of them persevered to vie with each other, for many

[40] Publications of the Times, Somers's Collections.

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years after, in zeal for securing the protestant succession, and thwarting the ambitious views of France.

1701. Death of James, 6th Sept.

The event to which I refer was the death of James [30], and the resolution, adopted by the court of France, to acknowledge his son as king

[30] The features of James's character are so marked, that the reader of observation needs no assistance to distinguish them. Nothing, however, appears more unaccountable, than the credit James seems to have obtained from some of his contemporaries for sincerity and honour, and the implicit assent, with which latter historians have admitted these virtues, as the ground of encomiums upon his character.

Mr. Hume says, "That he was faithful, "sincere, and honourable in his dealings with "all men." Hume, vol. vi. p. 432.

The historian, whom I have so often had occasion to mention in the course of this work, discovers the strongest partiality to James, by laying the stress of his character upon his truth and sincerity. "He was honourable "and fair in all his dealings. His great "virtue was a strict adherence to facts and "truth in all he wrote and said, though some "parts of his conduct had rendered his sin-"cerity in his political professions suspected "by his enemies." Macpherson's History, vol. i. c. viii.

Few characters, that have entered the page of history, furnish more numerous examples and indisputable proofs of dissimulation, duplicity, and want of truth, than occur in the private and political conduct of James.

He seems to have entertained a design of denying his marriage with lord Clarendon's daughter, which was discouraged and prevented by his brother king Charles. Life of Clarendon, vol. i. p. 261.

If he gave a proof of his sincerity by professing the Roman catholic religion, he surely had committed repeated falsehoods in denying his attachment to that religion after it had actually taken place. He made a solemn declaration, to Dr. Morley, of his resolution to continue in the protestant religion, at a time, when he was giving every encouragement to his servants to become Roman catholics; and had probably determined, in his own mind, to embrace that religion. Letter of Morley to Clarendon, April 24, 1659. Clarendon's State Papers.

His conversation and dealings with the earl of Argyle, about the test act in Scotland, exhibit not only contradiction of opinion, but the most treacherous and deliberate falsehood to ensnare and destroy that nobleman. Woodrow's History, vol. ii. book iii. ch. v. sect. vii.

While he declared himself a friend to toleration in England, he urged the most severe persecution of the presbyterians in Scotland. While professing to the prince of Orange a desire for toleration, he was congratulating Lewis upon the persecution of the Huguenots. Compare Woodrow's Letters. Dalrymple's App. part i. p. 177.

He was well known to be an enemy to the protestant dissenters in England. The chief instruments of their persecution were his creatures and partisans; and yet, when he ascended the throne of England, he broke the laws to gratify the dissenters, that he might cherish popery; and he pretended that toleration had ever been his favourite principle. Somers's Collections, vol. xv. p. 298.

His correspondence with the prince of Orange exhibits a scene of base dissimulation and falsehood. He is at pains to impress him with a belief of his zeal for England's entering into a war with France, while he is privately doing all that he can to thwart it, and labouring to promote a treaty between his brother and France, highly prejudicial to William. Dalrymple's Appendix, part i. p. 181-2-8, &c.

When he ascended the throne of England, he endeavoured to ingratiate himself with his subjects,

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His son acknowledged by the French king, which is resented by every party in England.

king of England. This event was not only productive of renewed professions of loyalty to the king, but increased the sincerity, and stimulated the exertions, of every party, for establishing the throne in the protestant line. The interest of the unfortunate son of James was not only obstructed, but the affections of many in the nation were alienated from him, by his acceptance of the patronage of a prince, whose name, at this period, was no less odious, than his ambition was formidable to England. The remaining friends of the family of Stewart were agitated with opposite and distracting affections: antipathy to France encountered a predilection for the lineal descendant of their ancient princes; and the pride of an Englishman revolted against the idea of acknowledging a prince, who tarnished the honour of his country, by receiving an empty dignity from the

subjects, by professing independence upon France, and an aversion to all connexion with her; and yet, at that very time, he gave Lewis the strongest assurances of his friendship; nay, he was so mean as to solicit a subsidy from him as the reward of his friendship. He was indeed offended, because Lewis did not bestow so liberal a pension as he expected, and therefore renewed a treaty with Holland. Ibid. part i. p. 103. 154. 175-6.

He instructed lord Clarendon and sir Charles Porter to declare solemnly, that he would maintain the acts of settlement and explanation in Ireland inviolate; and yet it was afterwards manifest, that nothing was farther from his intention. State of Ireland, p. 144.

After lord Dundee fell, a letter from lord Melfort was found in his pocket, together with a declaration under the hand of king James, containing not only an offer of indemnity to all such as should return to their duty, but of toleration to all persuasions. Melfort's letter to Dundee, however, imported, that, notwithstanding the seeming promises of indulgence and indemnity in the declaration, he had so worded them, that he might break them when he pleased, and that his majesty did not think himself bound to stand by them. Guthrie's History, vol. x. p. 299.

James certainly was sincere in professing that religion, which he believed to be true, at the hazard of his crown. But though a man cannot be sincere who does not openly profess the religion which he believes, yet he may do this and still be deficient in sincerity; nay, he may be such a bigot to religion, as to sacrifice truth and sincerity, in every other branch of character, to the interests of his religion. He may think it his duty to lie, to deceive, and to break every moral obligation, for propagating his favourite faith. Such was the character of James; and they who ascribe sincerity to him, after attending to the instances now cited, must entertain a narrow, loose, and incorrect idea of that virtue.

Mr. Macpherson ascribes the procuring the slave trade to England, to the industry and artifice of James when duke of York, vol. i. chap. ii.

Admitting the fact, it will not contribute to advance either his reputation or merit in the opinion of those, who think that this traffic has involved their country in guilt and infamy, for which no external prosperity can compensate. Such will lament, that his commercial projects have not been doomed to the same disappointment, which attended his political and religious designs.

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hands of a hated rival[31]. Persons free from every bias of prejudice, or impulse of passion, and who pursued, coolly and disinterestedly, that system, which appeared most favourable to the liberties of their country and the independence of Europe, anticipated the most fatal consequences to both, if a king should ascend the throne of England, under the influence of a rival kingdom, and under a sense of obligations to her monarch. Rich in internal resources and population, France grew every day more terrible to her neighbours by the artifices and usurpations of her sovereign. He had already detached, from the scale of the allies, and added, to his own, all the wealth of the Spanish empire. He now grasped at the government of England, the strong fence of European independence, by placing upon her throne a prince trained under his tutelage, and subjected to his direction. Should he succeed in this design, the dispute would soon be at an end: England would become his tool; and Europe would be subdued.

and fatal to the hopes of the pretender.

To the circumstances and impressions now described, we trace that political system, which, more or less, regulated the measures of every party, and of every administration in England, for many years subsequent to this period. The acknowledgment of the right of the pretender by Lewis, who was in the most extreme degree obnoxious to the English, and upon the verge of hostilities against them, fixed an association of ideas, which not only alienated the affections of the tories from the son of James, but multiplied and corroborated the legal obstructions to his restoration, at a period, when, if it had not been for them, he would have divided the affections of the nation. The tendency of acts of parliament, the language of every party, the avowed attachment of individuals, all run in favour of the Hanoverian succession. The tories and the whigs strove to excel in public zeal for this object: hence some of the leading men among the former, when, under the succeeding reign, they were really in-

[31] Cunningham, vol. i. p. 213.

clined

clined to promote the inclinations of the queen for the succession of her brother, found themselves entangled and hemmed in by the resolutions and statutes, to which they themselves had contributed, and were forced to pursue their object, by measures so clandestine and inconsistent, as not only frustrated their purpose, but brought disgrace and ruin upon their families.

Reasons for the king changing his ministers, and calling a new parliament.

From the facts which have occurred, it is natural to infer, that William might have trusted to the same parliament and the same ministry for the prosecution of such measures, as were no less conformable to the temper of his people, than to his own private desire. Considering, however, the advantages the French king had obtained, by having got so much the start in his preparations for war; such vigour and expedition became necessary upon the part of England and the States, as could only be expected from ministers, who entered, with the full conviction of their understanding and the sincere attachment of their heart, into measures which the voice of the public prescribed. Besides, the keenness, with which the tories carried on the impeachments, afforded every reason for apprehending that private resentment would be preferred to public business; and that the same disputes would be renewed under the continuance of a parliament and ministry devoted to them. If, from these considerations, the king was disposed to change his ministry and dissolve the parliament, he was confirmed in that resolution by the strain of addresses, which were now transmitted from the most respectable communities in England. The sentiments of the Kentish petition were re-echoed from every quarter: the dilatory proceedings of the commons in the last session execrated; and the necessity of vigorous measures inculcated [52].

The

[52] The earl of Carlisle was appointed first lord of the treasury in the room of lord Godolphin. The earls of Radnor and Burlington were admitted into the privy council. The earl of Manchester was made secretary of state, in the room of sir Charles Hedges. The earl of

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The fixth parliament of William meets.

The king returned to England on the fifth of November; upon the eleventh he diffolved his parliament; and fummoned a new one to meet on the thirtieth of December. The perfonal indignity offered to him, by the French king's having owned the Pretender, and the danger of Europe from the acceffion of the duke of Anjou to the throne of Spain; the alliances he had formed, agreeably to the inftructions of parliament; and union at home, as more than ever neceffary to fuccefs in all their defigns; were the important topics, upon which the king addreffed himfelf to his parliament.

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Mr. Harley was again chofen fpeaker of the commons, and Mr. Coniers of the general committee. From this diftinction being conferred upon tories, as well as from angry refolutions which were paffed with refpect to the Kentifh petition [13], it might have been inferred that the ftrength of that party prevailed, if meafures had not foon followed, which were favourable to the current of popular fentiments, and the principles of the whigs. Repeated addreffes, from both houfes, glowed with indignation againft France: the commons addreffed his majefty, that it might be an article in the feveral treaties of alliance, that no peace fhould be made with the French king, till his majefty had reparation for the great indignity offered

of Pembroke was declared high admiral. The duke of Somerfet fucceeded him as prefident of the council. Thefe changes did not take place till after the meeting of parliament, and it was believed, that feveral other changes were intended in favour of the whigs, if the king had lived. The diffolution of parliament and the change of the miniftry were recommended to the king by lord Sunderland, with earneftnefs and importunity, which he would not have difcovered, if he had fufpected that the king's inclinations had been contrary to the opinion he fupported. Hardwicke's Collections, vol. ii. p. 443, &c.

He applied, at the fame time, with affiduity, to ingratiate himfelf with the perfons upon whom he wifhed the king to devolve the management of his affairs. To lord Somers, upright and unfufpecting, he addreffed himfelf in fuch flattering and warm profeffions of friendfhip, as obtained his entire confidence. Hardwicke's Collections, vol. ii. p. 447-8, 453-7.

At the fame time, whether it was to gain more effectually the confidence of the perfons, with whom he had formerly fallen under fufpicion, or, in order to make an experiment of the ftability and fuccefs of a new adminiftration, before he became publicly connected with it, he pofitively refufed, at this time, the acceptance of any minifterial office. Ibid. p. 462.

[13] Journ. Commons, 7th Feb. 1702.

to him, by owning and declaring the pretended prince of Wales king of England [54].

Supplies granted.

Copies of the several treaties, which the king had made, were laid before the commons, and their hearty approbation of them was expressed, by resolving that a supply should be granted [55]. The exchequer was authorised to borrow six hundred thousand pounds for the service of the fleet, and fifty thousand pounds for the support of the guards and garrisons. Forty thousand men were ordered for the land service, and seven hundred thousand pounds voted for paying them [56]. Bills, for further securing the protestant succession, for attainting, and abjuring the Pretender, were brought in by the commons, and, with some amendments, obtained the consent of the lords [57]. Such a train of measures could not fail of giving the highest satisfaction to the king. He now saw the nation brought back to that temper, which had produced the revolution, saved the protestant religion, and the liberties of Europe.

Bills for attainting and abjuring the Pretender.

Vicissitudes in the political sentiments of the nation since the peace of Ryswick.

After the peace of Ryswick, the personal interest of William, which had been upheld, during the war, by his meritorious services and the more copious dispensation of favours, began to decline. Through the artifices of faction, the most malignant construction was put upon all his actions. The importance of the objects, for which he was invited to the throne, was undervalued and forgotten; and his influence upon public measures almost annihilated. In this situation a critical juncture of affairs ensued. The tempest began to gather anew; the political horizon became dark and menacing; the mind of the king was depressed, but not subdued. He laboured to mitigate those approaching calamities, which, under the deprivation of national confidence, he could not avert. By the partition treaty, he hoped that the French king might be soothed into concessions,

[54] Journ. Commons, 10th January.

[55] Ibid. 6th and 7th January.

[56] Ibid. 7th, 10th, 14th, and 17th January.

[57] Journ. Lords and Commons, January, February, passim, and 7th March. On the 7th of March the king was so weak, that he was obliged to make use of a stamp, for signing the commission, giving his assent to the bill for securing the protestant succession.

for

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for maintaining the present peace, and the future balance of Europe. The prejudices and resentment of a disappointed faction traduced his commendable intentions; the ill success of his attempts at first seemed to justify the misconstruction of them, and to establish the triumph of malice, while it gave new scope to its exertions. These exertions over-reached their mark, contributed to frustrate their own object, to develope the wise policy and steady integrity of William, and to engage his enemies themselves in such measures as were most agreeable to his inclinations, and the interest of Europe. A concurrence of fortunate incidents co-operated to promote the same ends. The clouds were dispelled; unanimity and vigour opened the prospect of national prosperity and glory, and once more gilded the political horizon.

The wishes of the king gratified.

His death. 8th March.

William did not survive to reap the fruits of his labours and projects; and his death, at a period, when he was just about to enter upon the consummation of his hopes, and to ascend the summit of terrestrial glory, is a memorable example of the observation of a sacred author, *that man at his best estate is altogether vanity.*

## CHAP. XXI.

*Comparative View of the Whigs and Tories during the Reign of William.—Their Strength in the Nation.—Their Influence at Court.—Their Share in Administration.—Inconsistencies in the Conduct of both.—Their Merits and their Faults.—Observations.—Benefits of the Revolution.—It secured the Liberties of England—saved the Protestant Religion—promoted Toleration—infused a Spirit of Improvement into the Constitution.—Obligations of the Nation to King William.—His Character.*

CHAP. XXI.

Comparative view of the whigs and tories during the reign of William.

FROM a comparative view of the ſtrength of the whigs and the tories, through the nation in general, at the revolution, it appears, that, in rank, property, and influence, the tories were ſuperior. From number, zeal, induſtry, and a fortunate coincidence of events, the whigs derived progreſſive advantages. It has been generally admitted, that, in the preceding reigns, the greateſt number of perſons, who poſſeſſed landed eſtates, avowed the principles, and ſupported the meaſures, of the tories. To the ſame intereſt was devoted the undivided attachment of the eſtabliſhed church, abounding with wealth and patronage, and reſpectable by the literature, abilities, and character, of many of its members. To this aſſociation, civil and eccleſiaſtical, we are indebted, in a great meaſure, for the revolution, or, at leaſt, for that zealous concurrence of the tories with the whigs, without which that event could never have been accompliſhed.

Their ſtrength in the nation.

The ſuperiority of the tories, in property and hereditary influence, was balanced by a variety of advantages, which gradually raiſed the power and reputation of the whigs, and rendered them more than a match for their antagoniſts during the reign of king William.

The want of established influence, and the contempt with which they were treated by the court and the tories, during the preceding reigns, united the whigs by closer ties of sympathy and friendship, and produced a defined system of principles, and well-concerted plans of action. Excluded from all hope of preferment, they laboured, with determined perseverance, to reduce the prerogatives of the crown, and to thwart the inclinations of the prince. That irregularity and licentiousness of government, which justified the inflexible opposition of the whigs, constrained the tories, who engrossed the ministerial offices, to depart, upon some occasions, from their characteristical principles, and to fall into inconsistencies, always injurious to the reputation of any party. Hence, the whigs advanced, and the tories declined, in the esteem of the nation. In great emergencies, it must be admitted, that the tories followed the dictates of patriotism; but this fact, which is granted in favour of character, may, at the same time, be advanced to impeach the wisdom and purity of their general political system. The great event of the revolution brought home, to the sense and experience of all ranks of men, a demonstration of the impossibility of adhering to the doctrine of non-resistance or unconditional obedience, and the train of absurdities with which it is connected [1].

Though it should be admitted, that the political principles, which distinguish parties, are, with many individuals, the effect of early prejudice, more than of deliberate inquiry and free choice, yet, greater energy and steadiness may be expected in defence of those principles, which are discovered after examination to be just in theory, and practically beneficial to the interests of mankind; and

[1] It may be truly remarked, that the maxims of the tories were such as could neither be reduced to practice, nor maintained in the hour of trial. The principle of self-preservation, the primary and most powerful law of nature, leads us instinctively to resist that violence which threatens the destruction of our being. The subject of the despotic monarch, condemned to forfeit life without evidence or trial, submits to the law of necessity, and lays down his head upon the block, not from the influence of principle, but with secret remonstrance and execration of oppression.

hence,

hence, by courage, vigour, and perseverance, suitable to the dignity and importance of their cause, the whigs increased their credit and influence, together with the number of their adherents, after the period of the revolution. It is observed by Mr. Harley, who, in the course of his political life, had been intimately connected both with the whigs and the tories, that the former were most successful, by making proselytes of men of thought and industry, while the latter enlisted under their banners those who were dissipated and profligate, and looked no farther than the surface of things*.

The ascendency of the whigs at court, and their possession of ministerial offices, during the reign of king William, afforded them an opportunity of improving their private fortunes, and extending the influence of their party. The management of a tedious and expensive war augmented the profit of every official department, and gave birth to many new offices and commissions, which redounded principally to the emolument of the whigs, and brought into their hands a great proportion of every species of property.

The progress of commerce and manufactures, favourable to sentiments of freedom and habits of independence, was another source of the extending influence of the whigs. Thus, it was observed, that, in trading and manufacturing towns, the whigs were most numerous, and that, in the vicinity of cathedrals, and in villages dependent upon great men, the interest of the tories predominated.

The foreign protestants, who resorted to England both in this and the preceding reigns, brought a great accession of strength to the whigs. The clerical members of the church of England discovered an early jealousy of the protestant refugees, because they were not sufficiently submissive to the doctrines and authority of their establishment; and this jealousy they were at pains to instil into the tories, over whose consciences they had a powerful sway. The un-

* Faults on both Sides. Somers's Col. vol. xv. p. 291.

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kind treatment which the exiled proteſtants experienced from the tories, as well as a ſimilitude of religious opinions and forms, to thoſe which the Engliſh diſſenters generally maintained, united their political intereſts, and augmented the ſtrength of the whigs[3]. From the experience of the advantage they derived from the influence of the proteſtant refugees, the whigs ſupported bills of naturalization, which were generally oppoſed by the tories, who ſpoke of the perſecuted Palatines, and other foreign proteſtants in England, with a contempt and ſcurrility, ſavouring too much of political rancour[4].

Their influence at court.

It has already been obſerved in the progreſs of this hiſtory, that it was the uniform plan of William, to compound his adminiſtration of individuals of different parties, and occaſionally to turn the balance in favour of one or the other, in accommodation to the current of events. The whigs, elated with their triumph, and overrating their ſervices at the revolution, were diſſatisfied with a bare precedency in adminiſtration, and began, at an early period, to contrive ſuch meaſures as might effectually prevent their antagoniſts from recovering the reins of adminiſtration, and might even reduce their political influence in more ſubordinate ſtations. Their oppoſition to an act of indemnity, and their obſtinacy in contending for amendments of the corporation act, tending to exclude the tories from any ſhare of power or intereſt in the boroughs, were the conſequences of this engroſſing temper. William, juſtly apprehenſive that a diminution of his influence would be the conſequence of any reſtriction in the choice of his miniſtry, and convinced from long experience of the benefit of employing and rewarding the ſervices of every party, found himſelf under the neceſſity of diſmiſſing the whigs, though it could only be accompliſhed by the bold meaſure of diſſolving the convention parliament.

Jan. 1690.

Their ſhare in adminiſtration.

At the beginning of the ſecond parliament, the king not only exalted the tories, by conferring upon them the principal offices in

3 Advice to the Freeholders of England. Somers's Col. vol. xii. p. 379.

4 Ibid. Hiſtory of the four laſt Years of the Queen, p. 221, &c.

admini-

administration, but rendered their influence at large more extensive and permanent, by changing the commissions of the justices and militia in their favour. The tories maintained their authority in administration during four successive sessions in the second parliament; but the king, having discovered a correspondence, which some of their leaders carried on with James, and finding that the sentiments of the generality of the whigs coincided with his schemes of policy, again changed the ministry, and bestowed the principal offices of government upon them.

1693.

From this period, the power and popularity of the whigs advanced, and displayed itself with great effect and energy, in the third parliament of William. The most liberal supplies were granted, notwithstanding the nation had been burdened by the long continuance, and great expences, of a war. By the eminent abilities of some of the whig ministers, the greatest difficulties were surmounted, in order to make the supplies effectual, to restore the coin to its proper standard and purity, and to accomplish other measures essential to the future credit of the nation.

1694-5.

1697.

The peace of Ryswick afforded the tories an unexpected opportunity of undermining the influence of the whigs, of lessening their credit at court, and defaming their reputation with the people. The news of the peace were received with universal joy by the nation, chiefly upon account of the assurance it gave them of being relieved from the heavy burdens which they had sustained during the war. It would have been difficult for any ministry, at that period, to have contrived such regulations of œconomy, and such immediate reduction of taxes, as were necessary to gratify the expectations of the people; but, when they heard that ministry hesitated about disbanding the army, the most obvious and desirable means of saving the public expence, universal discontent prevailed. An aversion to a standing army was one of the earliest and most decided criterions of the whigs. The system of policy which they adopted in connexion

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with the new ſettlement, the ſtate of the continent, the earneſt deſire of the king, the very preſervation of thoſe great national objects which they had already attained, all required the eſtabliſhment of a larger military force than ſeemed conſiſtent either with their own principles, or the prejudices of the people. The whigs, then, were preſſed by this dilemma. If they contended for a ſtanding army, their integrity and conſiſtency would be impeached, and their popularity loſt; if they gave up this point, they muſt forfeit the royal favour, endanger the liberty of their country, and the independence of Europe. The conſequence was, that they ſeparated upon this queſtion when brought to a vote, and did nothing for the king as a party. The feeble efforts, made by the whig miniſters to gratify the deſire of the court, introduced internal diviſions; attracted popular cenſure, which extended to the whole party; and at length completed the triumph of their rivals. During this languiſhing influence of the whigs, of which the king was every day more ſenſible from being fruſtrated in his favourite meaſures, the tories offered their ſervices, and boaſted of their influence. He made a partial change of adminiſtration in their favour, after the firſt ſeſſion of the fourth parliament; by which, however, he found that he had loſt the ſupport of one party, without acquiring the cordial attachment and ſervices of the other.

The tories inſiſted on the total diſmiſſion of the whigs, as neceſſary for enabling them to fulfil their engagements with the king. He had gone too far to recede. Lord Somers was removed from office; Mr. Montague was brought into the houſe of lords; and, that the influence of the tories might have free ſcope in the houſe of commons, that parliament, which had been ſummoned under a whig adminiſtration, was prematurely diſſolved. The tories were not diſappointed in their expectations of the parliament, in which they found themſelves able to command a majority of votes; but their ſucceſs enſnared them. Fluſhed by the number and zeal

1699.

1700.

1701.

of their adherents, the miniſtry conſidered themſelves as independent on the king, and uſed their power, rather to gratify their own reſentments, than to promote ſuch meaſures as were acceptable to the court, and calculated to gain them credit with the people. The precipitancy and vehemence of their proceedings againſt ſome of thoſe perſons who had been the principal actors in the whig adminiſtration, notwithſtanding the accompliſhment of ſome meaſures of great utility, diſguſted the king, embroiled the miniſtry with the houſe of lords, and rendered them odious to the nation; ſo that, to the ſatisfaction of all who were not of the party, the king diſſolved his fifth parliament, which had exiſted only for a ſingle ſeſſion. He called a new parliament, and began to form a whig adminiſtration, which was not completed before his death [5].

Nov. 1701.

1702.

From this ſhort review of the alternate riſe and depreſſion of whigs and tories, it appears, that the whigs enjoyed the greateſt ſhare of miniſterial power and public emolument during the reign of William, and certainly poſſeſſed more of his confidence than the other party [6]. If the balance was turned againſt them, it was only upon emergencies, and for a ſeaſon. It was reſtored again, as often, and as ſoon, as they became capable of carrying on the public buſineſs.

The comparative merit of whigs and tories may be eſtimated, either from an abſtract view of their political principles, or from the meaſures of government which they ſeverally defended or oppoſed, while they were in or out of power.

It is not my deſign to enter into an abſtract view of the principles of whigs and tories, farther than I have done in illuſtrating the preceding obſervations; becauſe it will be found, that their political meaſures and conduct have not differed from one another, ſo invariably and ſo widely, as the principles which they profeſſed would naturally have led us to expect. Whigs and tories in adminiſtration,

Inconſiſtencies in the conduct of both.

[5] Hardwicke's Collections, vol. ii. p. 460. [6] Burnet.

and

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and whigs and tories in oppoſition, exhibit ſtriking features of reſemblance to each other. If we were to draw a contraſt of political characters, without affixing the names of the originals, we ſhould find apt and copious materials, by purſuing the hiſtory of the ſame party, and the ſame individuals, through the viciſſitudes of favour and diſgrace at court. The grounds of this remark muſt be obvious to every man, who is acquainted with our hiſtory from the revolution to the preſent day; I remind the reader only of ſuch as have occurred in the courſe of this work. In the debates upon the queſtions relating to the laws of treaſon, to the trials of conſpirators, to the ſuſpenſion of the habeas corpus, and to the diſbanding of the army, the whigs held a ſtrain of argument, which they had often condemned during the two preceding reigns; and the tories obtained a tranſient popularity, by poſſeſſing themſelves of the ground which their adverſaries had deſerted, and retorting thoſe accuſations and reproaches with which their own party had been formerly branded. In ſupport of the bill for triennial parliaments, the bill for amending the treaſon laws, the place bill, the revocation of the royal grants in Ireland, and the limitations introduced in the acts of ſettlement, the tories were ſucceſsful, not only in thwarting the meaſures of their antagoniſts while in adminiſtration, but in impoſing durable reſtrictions upon the influence of the court, and introducing important amendments into the conſtitution. In proſecution of the impeachment of the miniſters concerned in the partition treaty, the tories aſſumed a zeal for continental intereſts, which they had ever oppoſed when it proceeded from the whigs. In vindication of the apparent inconſiſtency of the latter in the examples now recited, we are bound in candour to obſerve, that a very material change in the circumſtances of the nation, and particularly the claim of a rival to the crown, ſupported by a powerful faction at home, rendered it neceſſary for them to deviate from thoſe political maxims and reſolutions, which they had declared, in too abſolute

and

and indefinite terms, during the period of their oppofition to arbitrary government [7]. Political maxims are, more than thofe of any other fcience whatever, liable to exceptions, according to the circumftances of the times; and were they rigidly and inflexibly adhered to, would often fruftrate the very purpofes for which they were at firft adopted.

If there be any fundamental and comprehenfive principle, diftinguifhing the whigs from the tories, it is that which they avow with refpect to the interfering claims of the prince and the people. The privileges of the people the whigs profefs to guard with a jealous eye, and to vindicate from the encroachment of every rival intereft. The tories are devoted with the fupreme affections of their hearts to maintain the prerogative of the crown. In every queftion, therefore, of interference between prerogative and privilege, that is not already fixed with precifion by ftatute or precedent, the whigs, in conformity to their principles, may be expected to adhere to the latter, and the tories to the former; and yet there is not any one point in which both parties have acted more vaguely, and fo often in direct oppofition to their favourite principles. If we collect and examine the long catalogue of queftions, directly or indirectly referring to that fubject, from the æra of the revolution down to the prefent times, they will rather appear to have been difputes between adminiftration and oppofition, than between whig and tory, and to have had for their object, not the fupport of principle, but the acquifition and retention of power.

Merits and faults.

But however variable and contradictory the fentiments of whigs and tories may have been with refpect to queftions purely political, yet both of them have more uniformly adhered to thofe principles regarding religion and ecclefiaftical polity, which were coëval with their exiftence as parties. The whigs, whether within or without the pale of the national church, have been not only profeffed, but gene-

7 Preface to the Subject's Right of Petitioning, State Tracts, T. W. vol. iii. p. 257.

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rally conſiſtent, active friends to religious liberty. They claim the excluſive honour of having been the advocates for every meaſure, calculated to promote toleration and religious liberty, that has been adopted by the Britiſh legiſlature. They glory in many unſucceſsful ſtruggles to aboliſh penal ſtatutes, and to remove reſtrictions upon conſcience, introduced by the factious ſpirit and narrow jealouſy of the tories, aided by the conſcientious, though illiberal zeal of thoſe who held offices of dignity in the church [8]. The conſtant declaration and aſſiduous exertion of the whigs in behalf of religious liberty, as it formed a predominant feature in their character, ſo it was marked and criticiſed by their antagoniſts as the fitteſt inſtrument to work upon the prejudices of the people, and to propagate the apprehenſion of danger to the eccleſiaſtical conſtitution. The church of England and the whigs were often repreſented by the party writers, in this and the ſucceeding reign, as inveterate enemies, whoſe intereſts and affections it was impoſſible ever to reconcile; and that period, when the monarchy and hierarchy had been deſtroyed by the ſame hands, was often recalled to view, in order to ſtrengthen the union of the tories with the church [9].

By this political artifice, the tories not only allured the greateſt number of the officiating members of the church of England to their party, but, upon ſome occaſions, they meanly availed themſelves of the auxiliary ſtrength of enthuſiaſm, bigotry, and the tumultuary interpoſition of the people. Thoſe among the whigs, who were ſincerely attached to the eſtabliſhed religion, perceived the inſidious deſigns of their antagoniſts, and, to prevent a confuſion of titles that might prove detrimental to the cauſe of liberty by miſleading weaker minds, they framed a new eccleſiaſtical denomination, to preſerve unbroken and detached the whig intereſt reſiding within the boſom of the church. Under the deſcription of *high* and *low church*, the political warfare was tranſ-

[8] Sacheverell's Trial.

[9] Rapin on Parties, vol. ii. p. 799. 803.

ferred

ferred into confecrated ground, and whigs and tories carried on their conflicts, within the pale of the church, with equal pretenfions of attachment to her conftitution and intereft.

As the conduct of the individual is more influenced by the heart than by the underftanding, fo, in the hiftory of parties, we often trace predominant affections, which lead them to act in contradiction to the political maxims they profefs, and which, more than thefe, afcertain the difcriminating features of their character. When I obferve that the affections, of the tories inclined to the family of Stuart, and that the fucceffion of the crown in the proteftant line was the object that was ever neareft to the hearts of the whigs, I do not mean to affert, either that the leading and moft refpectable men among the tories wifhed to recal king James, or that all thofe, who had the name of whigs, were free from the guilt of confpiring to overturn the revolution fettlement; but what I affirm, upon the evidence of fact, is, that the whigs took their meafures more with a view to fupport the revolution fettlement, than to maintain confiftency, or to difplay a rigid adherence to thofe principles which they had maintained before they came into power. The early hefitation of the tories, about completing the work which they had begun in concert with the whigs, and their notorious and frequent departure from that refpect to prerogative, for which they had often and ftrenuoufly contended, certainly flowed from a remnant of affection to the exiled family, indicated a difaffection to the perfon of William, and an indifference, if not a fecret averfion, to that fettlement of the fucceffion which he wifhed to eftablifh. The bare recital of a few facts will, at once, elucidate and confirm thefe obfervations.

Though the tories kept equal pace with the whigs in the firft ftages of the revolution, they ftopt fhort while they were yet far from the end of this patriotic journey. The plan of the regency, of which they were fo tenacious during the interregnum, befpoke an anxious retrofpect to James, and, if it had fucceeded, muft have

 facilitated

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facilitated his resumption of the throne, and would certainly have ensured the succession of his son.

The haste of the whigs to invest William with royal power, their neglect of the most favourable opportunity to obtain limitations of prerogative, and farther securities for the liberties of the people, may be considered as early examples of their waving and postponing the operation of principle, in concession to that settlement of the crown upon which their affections were bent. The zeal of the whigs in entering into associations for the defence of the king's person upon the discovery of conspiracies, their framing and imposing the strictest oaths of allegiance and abjuration, the frequent suspension of the habeas corpus, their deviation from the ordinary modes of trial in cases of treason, were, perhaps, in the critical situation of affairs, necessary measures to secure the revolution settlement; but the adoption of them, in opposition to their professed sentiments and at the hazard of reproach, were evidences, that the security of that settlement was the supreme object of their care and anxiety.

On the other hand, the opposition of the tories to those very measures which exposed the whigs to the charge of inconsistency, their misrepresenting and employing them to excite a jealousy of government, the detraction with which they often spoke of the person and prerogatives of the prince, though their principal aim was to revile and displace their antagonists, afforded a striking evidence of glaring inconsistency, and that they were not always exemplary in those courtly virtues for which they valued themselves [10].

The place bill, the triennial bill, and the limitations in the act of settlement, introduced by a tory ministry, demonstrated, that their attachment to the prerogative was annexed to the hereditary line of descent; and when that was broken, their lofty ideas of majesty sunk into the same level with those of their antagonists, whom they

[10] Jura populi Anglicani. State Tracts, T. W. vol. iii.

accused

accufed of a deliberate and fyftematic defign to circumfcribe and reduce the influence of the crown. Were we to purfue this fubject down from the period of this hiftory, it would be found, that, though the fentiments of all parties were too much biaffed by intereft and regulated by accidental circumftances, yet there remains fufficient proof to afcertain this fact, that, while the whigs were fincere in their attachment to the act of fettlement, the tories never loft fight of the fucceffion of the houfe of Stuart, till that of Hanover was feated upon the throne.

After all, I do not mean to affirm, that the generality of the tories entertained any fixed purpofe of recalling the pretender, or were difpofed to prefer his intereft to that of the conftitution[11]. They gave fufficient proof, that the latter had the principal place in their affections, by their conduct at the revolution, and would probably have done the fame in a fimilar fituation, upon a clear and decided oppofition between the claims of the lineal heir and the fafety of the conftitution. But they were averfe to thofe meafures which rejected for ever the hereditary line of kings; and yet, with this affection, the pique, the refentment, and the pride of party, fometimes interfered, and the tories themfelves were more than once inftrumental in enacting fuch laws, as moft effectually fecured the exclufion of the houfe of Stuart and the continuance of the proteftant fucceffion. If that veneration for prerogative, by which the tories were diftinguifhed, abated, and a contrariety in their political fentiments was occafioned by the influence of their attachment to the exiled family, fo, upon the other hand, thofe meafures of their antagonifts, which juftified the tories in

[11] There certainly was fuch a defign in the latter period of the reign of queen Anne, and it was formed by the tories, but, at the fame time, a few of them only were privy to it. The ftatutes, the voice of the people, the official language of the miniftry, were fo much againft it, that the queen feems to have been afraid to communicate to her minifters, and her minifters to her, and to one another, what they all defired in their heart. Lord Oxford, though connected with that miniftry, probably never entertained any ferious view of reftoring the pretender. Macpherfon's State Papers. Cuningham's Hiftory, vol. ii. paffim.

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retorting the charge of fluctuation and inconſiſtency, may be traced to a ſimilar predilection, or propenſity of affection to the perſon of William; not perhaps on account of his private virtues, but of that well-earned fame, which he had acquired by being the protector of liberty, and of the proteſtant religion. Thus, the whigs not only became advocates for prerogative, in the inſtances above mentioned, but directed their public conduct, too much, in compliance with the prejudices and political views of the king. To this attachment was imputed a fixed determination of the whig adminiſtration to augment the army, while they diminiſhed and neglected the naval force of the kingdom. Every department belonging to the latter was managed with careleſſneſs and treachery, no leſs injurious to the honour, than to the ſafety of the nation [12]. As the genius and habits of William rendered him partial to the land ſervice, the whig miniſters departed from the moderate quota of troops agreed to at the commencement of the war; they gradually augmented the military eſtabliſhment; and, at length, were not aſhamed to contend for the propriety of maintaining a large ſtanding army, at an enormous expence.

When we trace the glaring inconſiſtencies of both parties to motives of affection, it is fair to obſerve, that theſe did not operate, with the ſame uniformity, and to the ſame extent, upon whigs and tories. The meaſures, which were derogatory to prerogative, appear to have been ſupported by the tories, with concert and in a body; whereas the inconſiſtency of the whigs, in defending what may be called prerogative meaſures, was applicable, principally, to ſuch of them as were in office, together with a few, who entertained an high eſteem of William, founded upon early acquaintance and gratitude for the ſervices he had done the nation. Though we do not admit the aſſertion of a party-writer, that, in the queſtion concerning a ſtanding army, " all the honeſt and wiſe men of their own

[12] Faults on both Sides; Somers's Collections, vol. xv. p. 300.

"party deserted them [13]," yet, in questions palpably deviating from the political maxims, which they themselves had professed, the whigs separated, and their leaders were deserted by many, who, in their ordinary conduct, adhered with fidelity to their party.

The faults, with which both parties reciprocally upbraided each other, have, in some measure, been anticipated by these remarks upon the inconsistency of their conduct. We ought to pay no regard to virulent assertions, indiscriminately vented during seasons of heat and violence; but to found our opinions upon the evidence of facts, and fairly to distinguish between those circumstances, which arise from the station and fortune of parties, and those, which indicate inherent and incorrigible depravity of principle. Rapacity, resentment, an overbearing, engrossing spirit, may, more or less, be imputed to every party in the day of power. Contention, misrepresentation of their antagonists, acrimony and malignity, adhere, with few exceptions, to those who are out of place. If the tories were charged with self-conceit, insolence, haughtiness of demeanour, in the course of their transacting business, these vices ought not to be ascribed to any indelible stamp of political character, but to the prejudices of domestic education, at a period when an high estimation was assigned to those distinctions of fortune and family, in which the tories claimed pre-eminence. If they were precipitate and ardent in prosecuting their favourite measures, it might arise from an apprehension of the instability of their influence, which stimulated them to improve, to the best advantage, intervals of power, derived from fortuitous events, more than from any cordial favour of the prince, or their established popularity. The same motives might transport them, beyond the bounds of generosity and true policy, in the violence of their plans to gratify resentment

[13] Faults on both Sides; Somers's Collections, vol. xv. p. 302.

against

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againſt their rivals, ſharpened by a mortifying ſenſe of the ſinking influence of their party, and of their long excluſion from power [14].

If, upon the moſt impartial ſcrutiny into the conduct of parties, it appears, that the whigs had the greateſt merit in promoting and upholding the ſettlement of government introduced by the revolution, ſo it will alſo be acknowledged, that ſome of the whigs in adminiſtration were guilty of groſs miſdemeanours, which affixed a deep and laſting ſtain upon their party.

Though generous and public motives ſhould be candidly allowed to have actuated the whigs, in the firſt ſteps of the revolution, individuals among them were afterwards ſo active in turning that event to their own private account, that it afforded but too juſt ground for ſuſpecting, that ſelf-intereſt had ever been in view as their ultimate end. They were inſolent, rapacious, inſatiable in their demands for preferment: they were continually upbraiding the king with their ſervices, and ſet the higheſt price upon them. Not ſatisfied with the fair profits of the lucrative places about court, they put to ſale many offices, which required the moſt judicious ſelection of capacity and faithfulneſs. Where grants and ſale of offices failed, exorbitant penſions were ſolicited for themſelves and their retainers. To private avarice and rapacity the whig miniſters, in this reign, added unprecedented extravagance and profuſion in the management of the revenue [15]. Though no perſon, who has a competent knowledge of the buſineſs of finance and the reſources of the nation, during the reign of William, can ſuppoſe it poſſible, that the ſupplies, neceſſary to provide for the public expence, could have been raiſed within the year, yet it is certain, that the means taken for that end were often ill deviſed; that money was borrowed at an exorbitant premium, and expended with ſuch contempt of all rules of œconomy, as occaſioned an immediate depreciation of public credit, and has en-

[14] Rapine on Parties.

[15] Secret Hiſtory of one Year, Somers's Col. vol. xii. p. 401.

tailed

tailed grievous burdens upon posterity[16]. Thus, while the emoluments of the servants of government were extravagantly augmented, too much of the public money was lavished upon individuals, and princely fortunes were accumulated by many of the whigs, whose merits were estimated by zeal for their party, more than by services rendered to their country. Hence, it was a common observation among those, who professed to abstain from all connexion with party, and to criticise the conduct of political men with impartiality, that the tories sacrificed the liberties, and the whigs the purses, of the nation[17]. It was calculated, that king William received more money from his people, in the course of five years of the war, than any four of the kings of England had done, since the reign of Henry the fourth, and than all the kings of England had done from the conquest down to that period: that he had received more money in the course of one year, than had been given to Elizabeth, during her long reign of forty-five years: that the disbursements, upon the article of pensions alone, exceeded one million; a sum far beyond the example of royal munificence in any preceding reign[18].

The criminality of mismanagement and the abuse of power, above described, might have rested upon individuals, if the whigs had not pursued such measures as seemed to imply the consciousness of wrong, and a dread of detection; which tended to involve the whole party in the participation of guilt. They struggled, long and obstinately, to parry every inquiry, calculated for the purpose of bringing to light extravagance and abuse in the expenditure of the revenue; and, when the appointment of commissioners to examine the public

[16] Sinclair's History of the Revenue, p. 50, &c.

[17] Secret History of one Year.

[18] Price of Abdication. Somers's Collection, vol. xi. p. 70. In the reign of William, the sum of 58,698,688l. 19s. 8d. was raised. According to this calculation, king William's annual income must have amounted to the sum of 4,415,360l. Chalmers's Estimate, p. 71.

 accounts

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accounts was, at length, obtained, they contrived to modify and fetter their powers by clauses, tending to frustrate, in a great measure, the purpose of their appointment. They prostituted their abilities, in postponing and evading the means of convicting those persons, who were strongly suspected of the most notorious embezzlement of the public money [19].

Observations.

From the facts and observations introduced in the above survey of parties, it will be obvious to the intelligent reader, that neither the principles nor conduct of whig or tory have been so essentially and invariably opposite, as to establish a fixed and unalterable line of separation: that the errors of the one were not so enormous and obstinate, as to prevent their contributing, with cordiality and success, both to the deliverance and amendment of the constitution; nor the wisdom of the other so infallible, and their purity so untainted, as to prefer, upon all occasions, the public good to private interest and party considerations. It would therefore have been equally unjust and impolitic in William, to have excluded the tories from trust and employment, or to have preferred the whigs to them, without reserve and caution.

It would be illiberal, on the one hand, to condemn any class or party, merely for an uncouth or unpopular name, or for heresies, contained in the political creed of their ancestors an hundred years ago, and which are not only renounced by their children, but repugnant to their education, their temper, and the spirit of the times,

[19] Letter to a new Member of the House of Commons. Somers's Collections, vol. xv, p. 186.

The commissioners appointed for taking, examining, &c. the public accounts, did not answer the expectations of the nation, for which these obvious reasons may be assigned: Several great men, who had large accounts to pass, laboured to cramp the commissioners in their power, and to discountenance them in their report. There was a flaw in the commission itself; for the commissioners were not sufficiently empowered to require proof of suspected vouchers. They could not commit persons for contempt of authority, and, consequently, were exposed to the hazard of being abused by false vouchers. Ibid. See also Somers's Collections, vol. xii. p. 401. 451. 453.

 irresistibly

irresistibly powerful in moulding the characters of individuals. On the other hand, it would be weak and dangerous to be inveigled by the boasted pretensions of factious men, who, being destitute of genuine principles, seek to borrow credit from titles, consecrated to the veneration and gratitude of posterity by the patriotic virtues of those to whom they were first applied. The capacity, the exertion, the probity, and the independence, of the man, to whatever political denomination he may belong, are the most essential qualifications of the minister, and the most solid basis of the public approbation and confidence.

Such, however, are the salutary effects of our constitution, that it either exacts these qualifications in a certain degree, or provides essential checks and remedies when they are wanting. It is impossible for human wisdom to devise such a frame of polity as shall, at all times, ensure the exclusive property of government to men of wisdom and virtue; but there is no constitution, tried by a competent period of duration and experience, better calculated for detecting and exposing abuse of power, and controlling the errors of weak and wicked ministers, than that which we enjoy. Under the various administrations which have taken place since the revolution, and which have, with few exceptions, been accused, by those who opposed them, of weakness and corruption, the important business of the nation has still been carried forward; somewhat has been done for the public good; nay, personal ability and virtue have existed, if not in the person of the minister or ministers, yet somewhere, and in some degree, among those who have been employed by them. Before the revolution, our government, fluctuating in its principles, was beneficial or pernicious in its effects, according to the sentiments and dispositions of the persons who presided at the helm. No remedies, but such as were of the most desperate nature, could

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control the mifchiefs done by arbitrary princes and corrupt minifters. The political ftructure, as it is now conftituted, is not more admirable for its intrinfic beauty and convenience, than for the ftrong fecurities by which it is guarded. So manifold are the checks upon licentious government; fo eafy the means of refiftance; fo obvious the community of intereft among all the members of the ftate; fo dependent the tenure of power upon the approbation of thofe over whom it is exercifed, that it feems impoffible our liberties can ever be deftroyed, without the wilful and treacherous co-operation of the people. And this, once more, calls back our attention to that glorious event, to which we are indebted for the confirmation and fecurity of our pre-eminent condition. I cannot clofe this work more properly, than by exhibiting a fummary view of thofe fubftantial benefits, of a civil and religious nature, which, more immediately or remotely, have accrued to this nation by the revolution. To the contemplation of this fubject, the patriot will ever recur with frefh delight and rapture.

Benefits of the revolution.

It fecured the liberty of England.

1. By the revolution the Britifh conftitution, the fource of fo many fubftantial bleffings, was afcertained, and eftablifhed by the ftrongeft fecurities.

Eager difputes have been agitated, and different opinions adopted, concerning the ancient genius and form of our government. While fome have marked the infant features of a free conftitution in that of England, at a period of high antiquity, others have been at pains to exhibit its early fimilitude, in every circumftance, to the polity of other European nations, now degraded by the yoke of defpotifm. The attentive ftudent in hiftory will find no difficulty to account for thefe difcordant opinions. He will perceive, that our conftitution was, for ages, in a floating ftate, and precedents of fuch oppofite tendency occur, not only under the reign of different princes, but

fometimes

ſometimes in the courſe of the ſame reign, that no well informed author can be at a loſs for facts and examples, in ſupport of oppoſite theories [20].

Without

[20] "This, then," ſays Dr. Hurd, ſpeaking of the revolution, "will be conſidered "by grateful poſterity as the true æra of "Engliſh liberty. It was interwoven, in-"deed, with the very principles of the conſti-"tution. It was incloſed in the ancient trunk "of the feudal law, and was propagated from "it. But its operation was weak and partial "in that ſtate of its infancy. It acquired "freſh force and vigour with age, and has "now at length extended its influence to every "part of the political ſyſtem." Hurd's Dia-"logues, vol. ii. p. 326.

This conciſe and elegant deſcription of the progreſs and ſtate of the Engliſh conſtitution will be admitted as juſt and impartial, in a general view, even by thoſe perſons, who entertain different opinions concerning political points connected with the earlier period of our hiſtory. It is impoſſible, however, that the fact, whatever it may be, can affect our conſtitution as it now ſtands. Suppoſe it ſhould be admitted, for ſake of argument, that, previous to the revolution, the Engliſh government was more arbitrary than free, or that it favoured prerogative more than privilege, yet, as the right of governing is now made conditional, as indeed it always was according to the principles of reaſon and juſtice, it is evident, that no prince in future time can be entitled to claim any benefit to prerogative from the example of arbitrary proceedings previous to that period.

Suppoſe again, that the people had neither contract nor antiquity to plead, in ſupport of their right to a free government; would this right ceaſe to exiſt? Would they be juſtifiable in renouncing it? Could they be at a loſs for arguments to vindicate their right? Would they not ſtill remain in poſſeſſion of the moſt obvious, the moſt rational, and the moſt convincing arguments, in ſupport of their claim to freedom?

Can any cuſtom vie in antiquity, with thoſe rights which are coëval with the exiſtence of the human race, and claimed as the birth-right of man? Can any political ſyſtem, however venerable from antiquity, aboliſh thoſe privileges, which are founded on the eternal laws of truth, order, and juſtice?

They, who reſt the claim of liberty upon antiquity and cuſtom, not only prefer an ambiguous to a clear title, but do a manifeſt injury to the cauſe of humanity, by diſparaging thoſe claims, which belong to that unhappy part of mankind, who groan under the yoke of deſpotiſm. Suppoſe any nation or kingdom ſhould admit, that their fathers, from the earlieſt formation of government among them, of which any traces can be diſcovered, have been ſubjected to the arbitrary will of one man, or any ſet of men; Would this fact degrade them in the ſcale of creation? Would it aboliſh the rights veſted in them as men? Has not every diſtrict in the globe, and every ſpecies of mankind, the ſame right to free government and equal laws, which Great Britain had before the revolution? A right, not founded upon cuſtom, which is fluctuating; not founded upon municipal law, which is often partial and capricious; not founded upon the ſtipulations of their fathers, whoſe views were contracted under the awe of tyranny; but a right inherent, original, indefeaſible, in the moſt unequivocal and emphatical ſenſe of the words.

There is another view of this queſtion concerning the antiquity of our conſtitution, in which every fair reaſoner will acquieſce. Suppoſe that the rights which we now enjoy, as ſubjects of the Britiſh empire, had been alſo poſſeſſed by our fathers at a remote period, and had been claimed by the people of England at the revolution, upon the footing of cuſtom and law, as well as equity, yet if their rights were not fortified by ſufficient ſecurities,

Without entering into the illustration of this subject, I shall only observe in general, that those immunities, which were anciently claimed by the English barons and confirmed by various charters of their kings, were often interrupted and retracted; that a long period elapsed before they were diffused and imparted to the people at large; and that, after having attained extension, they were still infringed, and sometimes apparently extinguished, by the arbitrary government of our princes. To pass over many examples to this purpose, which occur under the domination of the house of Tudor, I shall confine myself entirely to those facts which have fallen within the compass of this history.

Considering the unguarded fervour of loyalty which pervaded the nation at the accession of Charles the Second, and the obsequious temper of his second parliament, nothing seems to have been wanting, but industry, ambition, and evil counsellors, to have carried prerogative to a height superior to all resistance. At the end of the same reign, the long discontinuance of parliament, and the suspension of opposition, intimidated by the misfortunes and persecution of its leaders, exhibited a languishing state of public liberty.

Under the reign of his successor James, the state of liberty grew still more hopeless and discouraging. If James, after having received the revenue for life, had disguised, and postponed the execution of his arbitrary claims, or had been content with wresting from the nation their

curities, if the people had not authority and means to defend them when invaded, how precarious must their situation have been? These securities, and this authority, they acquired at the revolution, by the regular meetings, and afterwards by the periodical dissolution of parliament, and by the constant dependence of the crown upon it for supplies.

The friends of the constitution would do well to consider, whether, by too great a veneration for antiquity, there is not some hazard of doing a real injury to the constitution itself, by preferring, upon the occurrence of new questions, precedents which obtained under arbitrary reigns, to the analogy of more recent measures, and the dictates of a more liberal spirit of policy, which began with the revolution, and has been improving ever since that period. "There is not," says Mr. Hume, "a more "effectual method of betraying a cause, than "to lay the stress of the argument in a wrong "place; and, by disputing an untenable post, "ensure the adversary of success and victory." Essay on the Coalition of Parties.

their civil privileges, without touching their religion, would not the liberties of the people have been brought to the most extreme point of danger? Is it not more than probable, that the government of England might, at this day, have been as despotic as that of any kingdom in Europe? A sense of the danger of the protestant religion did that, which, it is probable, a sense of right, and a love of liberty, would not have done. It united the addresses and solicitations of all parties, to obtain the interposition of the prince of Orange. By that interposition, the liberties of England were rescued from impending danger. But our fathers, instructed by past experience, did not think it enough to repel immediate danger; they extended their plan to their own future safety, and to the interest and security of their posterity. The constitution had been varying and unsettled: many things were in dispute between the prince and the people. It was of the utmost importance to ascertain the nature of the constitution, to define, in the clearest and most explicit terms, the rights of the people; and to fortify and secure them against future attacks. A more propitious opportunity for accomplishing this great design never could occur, than at a time when the crown was to be transferred as a free gift, and when the person, who was to receive it, was a professed friend to liberty and the protestant religion. At this æra our constitution attained precision and stability. The land-marks were set up; the line, which divides prerogative from privilege, was drawn so broad and so deep, as to prevent confusion or mistake, and to debar encroachment upon either side. The most comprehensive privileges of the people were recognised and established. The most odious and arbitrary exertions of prerogative were specified and condemned.

Infused a spirit of improvement into the constitution.

2. The revolution, whether contemplated in connexion with the principles upon which it was founded, or as a monument of the triumph of patriotic labour, has infused into our constiution a certain meliorating energy, which has improved, and, it is hoped, will

will yet farther improve our political condition. In this enlarged and extenſive view, we are indebted to that glorious event, not only for what was then done, but for what has been done, ſubſequent to that period. The example of reſiſtance in the very moment of extreme emergency, and by the very perſons who diſclaimed its lawfulneſs in any caſe, has, more forcibly than ten thouſand arguments, expoſed the abſurdity of doctrines ſubverſive of the rights of humanity, and exploded that ſervile ſubmiſſion to prerogative, ſo flattering and grateful to the ambition of princes. That freedom with which the people are invited, by the genius of our conſtitution, to inquire, to judge, to converſe, and to write, concerning meaſures of government and political ſubjects, diſſeminates liberal ſentiments among all ranks of men, gives an immediate check to the abuſe of power, and ſtifles, at its birth, every riſing grievance.

The influence of liberal ſentiments is particularly diſplayed, in ſoftening the harder features of our conſtitution, and in reſtraining and mitigating the execution of rigorous and ſanguinary laws, which remain unrepealed. In ſuch inſtances, the mild ſpirit of the conſtitution has often militated againſt the letter of law; and while many penal ſtatutes have fallen into diſuſe, it is a received maxim, to interpret thoſe which ſubſiſt in the moſt lenient ſenſe. Diſcretionary puniſhments are often ſubſtituted, in caſes where the law has ordained the infliction of a capital puniſhment. In no inſtance, of late years, has the ſentence for treaſon been executed, with all the barbarous circumſtances preſcribed by the ſtatute.

The meliorating quality of our conſtitution might be farther illuſtrated from the enacting of many new laws, calculated to extend the liberty of the ſubject, and to maintain the purity of the conſtitution. Since the period of the revolution, the laws of treaſon have been freed from that partial diſtinction, which often proved fatal to the perſon accuſed; and the ſame indulgence has been granted him as in the trial of other capital crimes. By limiting the duration

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of parliament, the dependence of repreſentatives upon their conſtituents, and, conſequently, a reſpect to their ſentiments and intereſts are more effectually ſecured. The dignity and independence of parliament has been promoted by various ſtatutes, regulating the qualifications of its members. The influence of the court and miniſtry have been checked, and the purity of parliament farther ſecured, by a late ſtatute, eſtabliſhing the faireſt mode of trial in the caſe of conteſted elections. The act for aboliſhing hereditary juriſdictions in Scotland; the act for rendering the judges of England independent, by granting their commiſſions during life; the act for aboliſhing the privilege of exemption from arreſt for debt, enjoyed by ſervants of members of parliament; and various regulations with reſpect to commerce and our intercourſe with foreign nations; are all pleaſing examples of the progreſs of liberty, and the improving excellence of our laws, promoted by the genius and ſpirit infuſed into our government by the revolution. The contemplation of theſe, as pledges of future improvements [18], while it expands the hope and elevates the joy, will ſtill farther inflame the gratitude, and animate the efforts, of the patriot.

3. To

[18] To ſuggeſt theſe might perhaps, be cenſured as a digreſſion from the ſubject of this work, and an arrogant intruſion into the province of thoſe, who, by their experience as well as truſt, are beſt qualified to diſcern them. Some of them, however, are ſo obvious, and required by ſuch preſſing calls of juſtice and humanity, that we are diſpoſed to wonder, that, under ſuch a mild and beneficent government, they ſhould have been ſo long delayed; and that, under ſuch prevalence of liberal ſentiment, their propriety and importance ſhould ſtill be diſputed.

The laws relating to debtors exhibit a glaring example of deviation from the principles of our conſtitution. Is it not ſhocking, that, in a country where ſuch a price is put upon perſonal liberty, and where the total deprivation of it is reckoned too ſevere a puniſhment for any crime, perſons, who have not been guilty of any immorality, who have, perhaps, been only unfortunate, ſhould be doomed to perpetual captivity?

Is not the letter and complexion of our criminal laws too ſanguinary? Are not capital puniſhments multiplied ſo much as to offend againſt ſound policy, as well as the dictates of humanity? For what is the conſequence? The ſeverity of puniſhment, out of all proportion to the demerit of crimes, cannot be executed with conſtancy and exactneſs, and therefore loſes its influence of over-awing and reſtraining the guilty. Might it not be expected, that a more moderate ſpecies of puniſhment, invariably executed, would, at once, ſpare the effuſion of blood, and reduce the number of crimes?

The multiplicity and ſtrictneſs of entails in



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3. To the revolution we are indebted for the preſervation and eſtabliſhment of the proteſtant religion.

We have ſeen the danger to which the proteſtant religion was expoſed, during the reign of Charles the ſecond, from his ſecret attachment to Roman catholics; his indulgences intended principally for their relief; his treaty with France, ſtipulating the eſtabliſhment of popery; and above all, from the converſion and bigotry of the duke of York. By theſe circumſtances, the fears of the people were excited, vigorous meaſures of oppoſition concerted; and the deſigns of the court defeated.

In the reign of James, the danger was more formidable, becauſe the popular alarm had entirely ſubſided. None objected to the

one part of the kingdom, is not only materially injurious to induſtry and commerce, but muſt, in progreſs of time, be productive of inequality and unalterable ſuperiority, which will overwhelm the independence and liberties of the ſubordinate and more numerous claſſes of men.

How much were it to be wiſhed, that the influence of that humane ſpirit, which is ſo honourable to our age, and ſo fruitful of good works at home, were extended to our intercourſe and commerce with diſtant countries!

Does not the genius of our conſtitution concur with the dictates of humanity, to recommend to our legiſlature the abolition of the infamous traffic in ſlaves? If there are any who remain ſtubborn againſt the dictates of humanity, let them be perſuaded to inveſtigate this queſtion upon the footing of public expediency and intereſt. Has not the value of individuals, in every ſenſe, been improved, in proportion as they have become free and independent? Has not that labour ever been found the moſt productive which redounds to the profit of the labourer, and which has been performed with conſent and cheerfulneſs? Has not the emancipation of villains and bondmen contributed, more than any other means of improvement, to the melioration of property, and the enriching of proprietors in England? Is it not a fact, that the princes and ſtates, who got the ſtart of others by the abolition of villainage at home, have arrived firſt at civilization, and have ſtill retained pre-eminence in manufactures, agriculture, commerce, and every article of national proſperity? Why ſhould the line be drawn, why ſhould regulations the reverſe of thoſe which have promoted domeſtic proſperity, why ſhould the violation of juſtice and humanity, be deemed eſſential to the cultivation and improvement of our diſtant colonies?

With the chriſtian, the ſpirit of his religion ſuperſedes the uſe of argument, and renders him impatient of contradiction in a point, which forms the moſt prominent feature and eſſential diſtinction of his profeſſion. Benevolence, the moſt pure and comprehenſive, is inculcated by the precepts and example of his maſter. Can he then ſubmit to any ſyſtem of policy, which has the effrontery to exclude a whole race of mankind from the reach and effect of his charity? The cauſe of juſtice and humanity will prevail; but ſtill it muſt be a mortification to the patriot, if objections, founded in ignorance and ſelfiſhneſs, ſhould ſuſpend the gratification of his moſt ardent deſire, and withhold, from his beloved country, the glory of taking the lead in reprobating that ſyſtem of policy, which dooms any claſs of his fellow-creatures to wretchedneſs and oppreſſion.

prince's

prince's enjoying his own religion, while they confided in his ſolemn and repeated promiſes, that he would protect that of the nation. Fortunate it was, that the bigotry of James was too ungovernable to admit of any compromiſe, or to regard the obligations of truth; for had he been contented with the private and lawful engines of proſelytiſm, how ſucceſsful might he not have been, or what changes might he not, with patience and time, have effected? But the infatuated monarch could not conceal his intention of devoting every faculty of royal power to the ſervice of Rome. He ſtrained every nerve of prerogative, he violated his promiſes, he deſpiſed the reſtraints of law; and then it was that the proteſtant religion, as well as the liberty of England, was brought to the extremity of danger. But, if the queſtion had been merely political, the ſame unanimous and ſpirited force of reſiſtance could not have been collected. Nothing leſs than a zeal for the proteſtant religion was ſufficient, to ſuſpend the animoſities of parties, and to unite them in ſchemes and efforts for preventing its ſubverſion. The diſtinguiſhed abilities of the prince of Orange, his zeal for liberty and the proteſtant religion, his influence among the princes of Europe, his near alliance to the royal family, marked him, as deſtined by Providence to be the glorious inſtrument of their deliverance. Violent diſſenſions prevailed in the religious and political ſentiments of individuals and parties, then incorporated by participation of danger. To have entered into any diſcuſſion of theſe, or to have concerted any future plan of ſettlement, might have proved fatal to their union. Farther queſtions were therefore ſuſpended, while, in this one point, all agreed, that the interpoſition of the prince of Orange was neceſſary to the preſervation of the proteſtant religion; that religion, which diſclaims the uſurpation of human authority; that religion, which holds the ſcriptures alone to be the rule of truth; that religion, which, if purſued in its true principles, will finally triumph over all the corruptions of human invention, and reſtore the purity

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of the gofpel. The continuance of that religion, we owe, under the bleffing of God, to the revolution.

Eftablifhed toleration.

4. To that event we are indebted for toleration and liberty of confcience.

Without toleration and liberty of confcience, the benefits of the proteftant religion muft be extremely circumfcribed and precarious. Though our firft reformers made illuftrious exertions in the difcovery of truth, they ftill retained much of that metaphyfical dogmatifm, and fcholaftic jargon, which had encumbered chriftianity during the long night of barbarifm and fpiritual tyranny. They harboured too much of the contracted, intolerant and perfecuting fpirit, which pourtray the moft hideous features of corruption in that church which they profeffed to abandon; and though it was by the ufurped dominion over the confcience and private judgment of men that chriftianity was firft defaced, and profeffedly in order to demolifh this dominion that the ftandard of reformation was firft erected, yet, what is an aftonifhing inftance of the inconfiftency of human character, almoft all the proteftant fects, which obtained the fanction of a legal eftablifhment, relapfed into the fame error, and urged the execution of penal ftatutes againft their proteftant brethren, who refufed to conform to their fyftem of faith, or regulations of ecclefiaftical government. Lutherans, calvinifts, epifcopalians, prefbyterians, have, all of them, in the day of power, wielded, with unrelenting fury, the fword of perfecution. But, to take the example of our nation after the reftoration, the fecond parliament of Charles difcovered an extraordinary zeal for promoting uniformity in religion. No lefs than five different ftatutes, as we have feen, were enacted for this purpofe, every one of them, in progreffion, ordaining penalties more fevere to be inflicted upon thofe, who worfhipped God in any other way than according to the forms of the church of England. The fame fpirit was adopted by the minifters of Charles the fecond in Scotland. The execution of penal

ſtatutes on account of religion, in that kingdom, occaſioned ſome of the moſt ſhocking ſcenes of barbarity that are to be met with in the hiſtory of any age. Humanity recoils at the remembrance of them.

At the period of the revolution, perſecution received a mortal wound, but did not immediately expire. The merit of the proteſtant diſſenters, operating with the church of England by reſiſting their common enemy, ſuggeſted to the latter the juſtice, and the policy, of maintaining future intercourſe upon terms of forbearance and charity. A plan of comprehenſion was propoſed, but thwarted by the bigotry of the tories, the indiſcreet violence of the leaders of the church, and, in part, by the peeviſh ſcrupulouſneſs of ſome of the diſſenters. The penal ſtatutes were, not without ſome exception, aboliſhed, and an act of toleration paſſed. It is probable, however, that neither this plan of comprehenſion would have been propoſed, nor the act of toleration obtained, at that period, if both had not been agreeable to the ſtrong deſire, and favourite policy, of the king. There is indeed no feature in the character of that great prince more marked and brilliant, than his zeal for liberty of conſcience. Though illuſtrious for military and political talents, he was not unrivalled, perhaps he was excelled, by contemporary generals and ſtateſmen; but, as a friend to religious liberty, he had not a rival. In this point, his merits appear ſingular and tranſcendent. The extenſion of religious liberty at the revolution, though it exhibits an agreeable contraſt to the penal ſtatutes, and perſecutions in the preceding reigns, yet it was not proportionate to the liberal ſentiments of William. The proteſtant diſſenters were excluded from many privileges, and their clergy, by the letter of the law, ſubjected to ſevere teſts and reſtrictions. It is alſo to be lamented, that the recent remembrance of the danger of popery was the occaſion, not only of impoſing prudent reſtraints, but of enacting unjuſtifiable penalties againſt the profeſſors of that religion, and particularly againſt Roman catholic

CHAP. XXI.



catholic priests. The mention of this subject draws our attention once more to a striking example of the effects of that meliorating tendency of our constitution to which I have already referred. The statute, ordaining the suppression of dissenting meetings whose ministers did not subscribe to the doctrinal articles of the church of England, and the statute, of one thousand seven hundred, ordaining the perpetual imprisonment of catholic priests and the disinheriting of Roman catholic heirs, were so repugnant to the spirit of the British constitution, that they have seldom been executed with rigour. They at last fell into disuse, and finally, by the unanimous consent of both houses of parliament, have been expunged from the English code; and, though the disgraceful opposition, that was given to the repeal of the statute regarding Roman catholics, obstructed that repeal in one part of the kingdom, and excited great commotions in another, yet there is not any doubt but, from the influence of our constitution, the spirit of toleration is every day expanding and increasing. There is not any system of religious truth, the most harsh and illiberal, that is not mollified and humanised by the spirit of the age. We need only to advance in the same spirit for a little time, and it is to be hoped, that no trace or vestige of intolerance will remain to disfigure the beautiful fabric of the British constitution.

Our obligations to king William.

Impressed by the views now illustrated, it is natural to cherish a grateful remembrance of our patriotic ancestors, and particularly of that illustrious personage, who, under God, was the instrument of working so great a deliverance, and of obtaining such important privileges for us and for our posterity. There is not a more painful sensation, than that which arises from the discovery of any imperfection or blot, in the character of a benefactor, tending to diminish the esteem, and restrain the gratitude, which we find ourselves disposed to pay to him. As there is not any character recorded in our history, more strongly entitled to our gratitude, when we reflect

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upon the ineſtimable bleſſings for which we ſtand indebted to his interpoſition, ſo few appear, after the moſt critical inveſtigation, more deſerving of eſteem and praiſe, on account of the endowments and virtues with which it is adorned.

His character.

The dawn of his life was lowering and clouded, and little promiſed that luſtre which brightened the meridian day. He was born in the ſeventh month, a few days after the death of his father, whoſe authority had been declining under the oppoſition of the Louveſtein faction. The ſon, while in his cradle, was ſtripped of all his hereditary dignities and offices by a general aſſembly of the States. His conſtitution was weak, his fortune narrow and embarraſſed, his education cramped and neglected. The native vigour of his genius, called forth by the diſtreſſes of his country, confuted theſe inauſpicious preſages of fortune, and rendered his future life an uninterrupted career of patriotiſm and glory.

The ambition of Lewis the fourteenth, intruding into the frontiers of Holland, firſt opened to the young prince a theatre for the diſplay of thoſe aſtoniſhing endowments, which proved him to be worthy of the honours, as well as the name, of his renowned anceſtors. He was appointed admiral, captain general, and at laſt reſtored to the office of ſtadtholder.

The magnanimity, the exertion, and the perſeverance, by which the prince of Orange defeated the intrigues and the armies of Lewis, not only protected the liberties and engaged the confidence of his country, but recommended him to the ſurrounding powers of Europe, trembling for their independency, as the fitteſt perſon to form and conduct a ſcheme of confederate reſiſtance to the uſurpations of France. While the grandeur of the deſign flattered his ambition, its connexion with the liberties of the States intereſted his patriotic zeal.

In the ſequel of his hiſtory, it is difficult to ſay which we ought moſt to admire, the variety and excellence of his talents, or the ſucceſs

ſucceſs with which they were crowned. By a comprehenſive diſcernment of the political intereſts of Europe; by penetration into the characters of individuals; by addreſs in negociation, he cemented ſtates and princes, whoſe intereſts and prejudices ſeemed moſt oppoſite and irreconcilable. By the firmneſs of his reſolution; by fortitude under the moſt diſaſtrous events; by fertility of expedients, he at laſt ſurmounted every difficulty; chaſtiſed the ambition of Lewis; exhauſted the ſtrength of France; and wrought the deliverance of Holland, England, Spain, and the Empire.

As the moſt illuſtrious fame is annexed to exploits in the cauſe of liberty, ſo, without a nearer inſight into character, we are at a loſs to decide, in particular inſtances, whether they reſult from the ſordid motives of ſelf-intereſt and ambition, or the more exalted ones of virtue and public ſpirit. That the love of liberty was predominant in the character of William; that his ambition was under the direction of principle, and ſubſervient to the cauſe of juſtice and the rights of mankind; is atteſted by the uniform tenour of his actions. Private emolument was with him no conſideration, when the intereſt of his country was at ſtake. The alluring bait of royalty he repelled with diſdain, when propoſed to him, upon terms ruinous to the freedom of his country. His acceſſion to the throne of England will appear no argument againſt this concluſion with thoſe, who conſider, not only, how important it was to her deliverance, but that it was an eſſential link in the chain of meaſures, which was to connect and eſtabliſh the liberties of Europe. If William had not aſcended the throne of England, the grand alliance could never have been completed, and rendered efficient to overpower the armies of France, aided by James, maſter of the liberties of his ſubjects.

That liberality of deſign, which dignified his negociations and extended his influence upon the continent, was no leſs conſpicuous

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in the ſcheme of his domeſtic policy and government. By an impartial diſpenſation of favours to all parties in Holland and England, he moderated their violence, and employed their united ſtrength, in the defence of public liberty. No flattery, nor zeal for his perſonal aggrandiſement, ever ſeduced him to give ſcope to the reſentment or uſurpation of any party. It was the deſire of his heart to accompliſh the moſt extenſive plan of religious toleration; and, though he found himſelf thwarted by the prejudices of the people, yet he never relinquiſhed his liberal purpoſes from the dread of obloquy or miſrepreſentation. His opinion, in queſtions of the greateſt political moment, he maintained with a firmneſs, rather honourable to his character, than favourable to his intereſts.

That his reſpect for religion was not feigned and political, but ſincere and conſtant, appeared, not only from his regular and decent attendance upon the duties of ſocial worſhip, but from the time and attention he allotted to private devotion. It was remarked, that he never mentioned the truths of religion, but with ſerioufneſs and veneration; and that he expreſſed, upon all occaſions, indignation againſt examples of profaneneſs and licentiouſneſs. He maintained great equanimity under all viciſſitudes of fortune; being neither immoderately elated with proſperity, nor dejected with adverſity. Often fretted by the rudeneſs of faction, and the jealouſy and diſcontents of his ſubjects, he ſtill regulated his temper by the dictates of prudence, and reſigned his private inclinations and intereſts for the ſake of public peace. Though liable to ſudden ſallies of anger, yet he never harboured reſentment in his breaſt; and he even treated ſome of thoſe perſons, from whom he had received the higheſt perſonal injuries, with mildneſs and generoſity. To ſum up his talents and his virtues: he poſſeſſed great natural ſagacity, a retentive memory, a quick and accurate diſcernment of the characters of men. He was active, brave, perſevering; and, to theſe qualities more than to his ſkill as a general, he was indebted for his military ſucceſs. His know-

ledge in politics was extenſive and profound; his application to buſineſs ardent and indefatigable. An enthuſiaſtic lover of liberty, he was ever true to his principles; faithful in the diſcharge of every truſt committed to him; and, in the characters of the ſtateſman and general, acquired the confidence and praiſe of his friends, and excited the admiration and dread of his enemies.

His talents and virtues belonged to the reſpectable, rather than to the amiable claſs; and were formed to command eſteem, more than to engage affection.

For literature and the fine arts he diſcovered no taſte. He had acquired none of thoſe graces, which animate converſation, and embelliſh character. A ſilence and reſerve, bordering upon ſullenneſs, adhered to him, in the more retired ſcenes of life, and ſeemed to indicate not only a diſtaſte for ſociety, but a diſtruſt of mankind. He was greatly deficient in the common forms of attention. His favours loſt much of their value, by the coldneſs of the manner with which he conferred them. He did not enough accommodate himſelf to the open temper of a people, who had ſo freely devoted their allegiance to him. His warm and ſteady attachment to a few friends demonſtrated that he was not deſtitute of private friendſhip. He was occaſionally ſurpriſed into indulgences of mirth and humour; which ſhewed, that he was not inſenſible to the relaxation of ſocial amuſement. But the infirmities of his conſtitution; the depreſſion of his early ſituation; a fatal experience of deceitfulneſs and treachery, derived from his political intercourſe with mankind, the ſeriouſneſs and weight of thoſe objects, which continually preſſed down his mind, controlled a propenſity, however ſtrong, to confidence, affability, and pleaſantry, and introduced habits of conſtraint and gravity, which draw a veil over the attractions of virtue; and frequently contribute, more than vicious affections, to render character unpopular.

It would, perhaps, be difficult to ſelect, from the various and wide range of biography, any two characters, which form a more perfect contraſt, than that which opens, and that which cloſes, the period of this hiſtory.

In the character of Charles the Second, we are ſtruck with a brilliancy of wit, and gracefulneſs of manners, deſtitute of any one ingredient of principle or virtue; with politeneſs, affability, gaiety, good humour, every thing that captivates imagination, or gives delight for the moment.

In the character of William, we turn our eyes to ſterling merit, naked and unadorned; to ſtern integrity, incorruptible patriotiſm, undaunted magnanimity, unſhaken fidelity; but no ſplendid dreſs or gaudy trapping, to arreſt the attention of the ſuperficial obſerver. A deliberate effort of the underſtanding is neceſſary to perceive and eſtimate its deſerts.

Charles, with all his vices, was beloved while lived, and lamented when he died.

William, with all his virtues, reſpected abroad, reſpected by poſterity, never obtained, from his ſubjects and contemporaries at home, the tribute of affection and praiſe, adequate to the merit of his virtues, and the importance of his ſervices.

# I N D E X.

## A.



## B.



## C.

## J.

K.



L.

parliament

Q.



R.

S.

THE END.

# E R R A T A.

Page 15. line 5. col. 2. note, *for* page 30 *read* page 50.
16. —— 2. —— *for* twenty thousand *read* two hundred thousand.
30. —— 27. *for* Scots *read* Scotch.
33. —— 3. *for* ambition *read* combination.
43. —— 1. *after* nation *supply* a comma.
45. —— 29. *for* they *read* the commons.
69. —— 19. *for* may *read* might.
77. —— 26. *for* his *read* the king's.
83. —— 19. *for* object *read* objects.
97. —— 9. *for* account *read* accounts.
124. —— 2. *for* thousand *read* thousands.
133. —— 19. *for* who *read* which.
*for* opposing *read* supporting.
140. —— 2. col. 2. note, *for* preserved *read* preferred.
191. —— 16 and 17. *for* certainly *read* entirely.
215. —— 2. *for* two thousand *read* two hundred thousand.
227. —— 10. *for* fifty-six *read* forty-six.
242. —— ult. note, *for* regni *read* regum.
286. —— 5. *for* affected *read* effected.
298. —— 26. *after* summoning *read* with *and dele* or.
356. —— ult. *for* advantages *read* disadvantages.
371. —— 9. *for* prevented *read* rejected.
22. *for* circumstances *read* causes.
399. —— 27. note, *for* song *read* son.
18. col. 2. note, *for* repertita *read* repetita.
440. —— 24. *for* proprietors *read* proprietor.
1. note, *for* has *read* had.
461. —— 17. *for* the prince *read* former princes.
18. *for* his *read* their.
463. —— 8. *for* its *read* his.
496. —— 3. *after* and *supply* in.